

INCORRECT YEAR ON COVER PAGE
SHOULD READ APRIL 1978.

**A. E. Hotchner: At War
With Random House**

Michael Arlen:



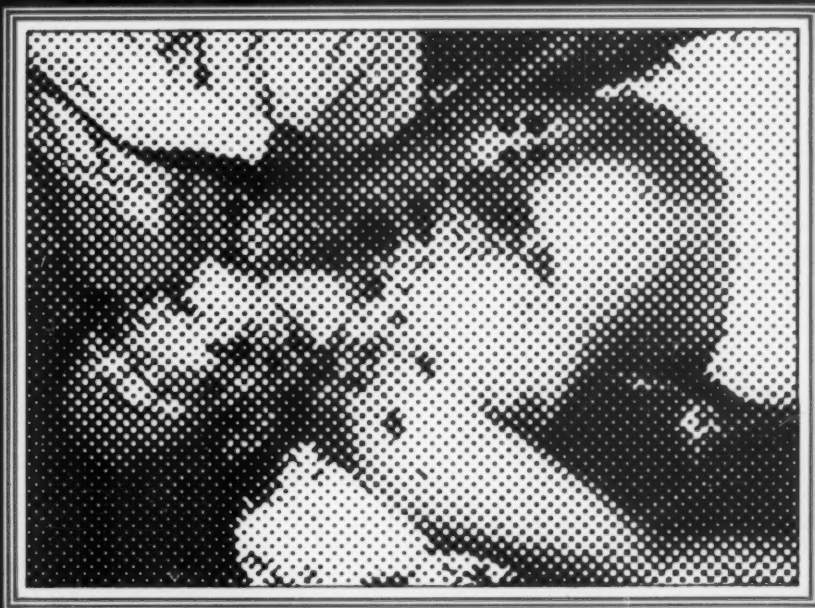
APRIL 1977
THE MEDIA MAGAZINE
MORE

A. E. Hotchner: At War
With Random House

Michael Arlen:
Ceremonies Of The Tribe

Roy Blount Jr.:
In The Weather Vein

PUBLISH AND PERISH



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murdered, 37 injured in violent attacks, 20 abducted,
13 newspaper offices bombed...

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The national guilt complex • Achievement or original sin • Production vs. atonement

Judging by some of what we read and hear, self-flagellation seems about to become the order of the day. Much of whatever Americans do or achieve or enjoy is termed immoral or otherwise indefensible, and what people in other countries do is hailed as the shape of the future, morally speaking.

Well, now.

A lot of this national guilt complex depends on how things are put.

Suppose, for example, we ask you, "Do you think it's right for the United States, with only 5% of the world's population, to consume 28% of its energy?" That might be your cue to beat your breast and cry, "Heavens to Betsy, no! How could we do such a thing? And how can we atone?"

Suppose, however, we rephrase that question and ask you, "Isn't it remarkable that the United States, with only a twentieth of the world's population, can produce a fourth of the entire world's goods and services? And that we have become the industrial and agricultural breadbasket of the world... a prime purveyor to the hungry and the needy abroad?"

"Gee," you might say. "Just shows you what the old Yankee ingenuity, along with hard work and clean living, can do."

We can stomach breast-beating or a hair-shirt demonstration, if that's what gives the other fellow his kicks. But the point we want to make is that nobody in this country has to beat himself over the head just because he's adequately fed and clothed. Mankind has always striven for a land flowing with milk and honey, not a land short of necessities and barren of luxuries, long on deprivation and longer on austerity.

This is not a plea for devil-may-care hedonism. On the contrary, we are trying to make two points:

(1) Gratuitous martyrdom is an exercise in futility.

(2) When someone tries to make you feel guilty because our country has achieved to a considerable degree what all countries strive for, don't leap to the bait. Remember, it's possible to state even the most positive accomplishments in a way that makes them sound like original sin.

We get the distinct impression that most of the people who berate this country for its productivity are themselves quite well fed, well clothed, well housed, and, possibly as a result, feeling guilty. We cannot believe that Americans can solve, or even alleviate, the problems of this country and the rest of the world through starvation diets or by sleeping on a bed of nails. A refrigerator or a loaf of bread or a pair of shoes not bought and used in the United States is not automatically going to end up in some less-developed country.

The point is that our country is so productive, despite all the roadblocks thrown up by government and others, that it can turn out an almost unbelievable volume of goods—enough to supply the domestic market and still have a lot left over to export. If you want more U.S. money and food and other goods sent to needy peoples abroad, fine; tell your Senators and your Congressman so. But don't feel guilty about living well if you already do, or about wanting to if you don't.

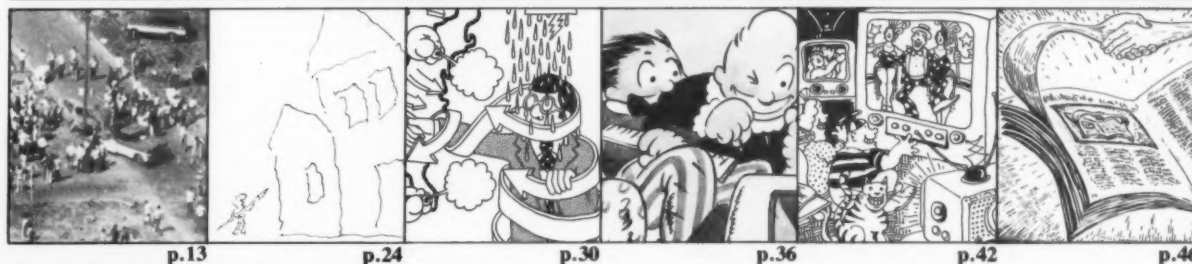
We are not trying to promote gluttony or even conspicuous consumption. We are trying to deflate what strikes us as nonsense. Life is short, and people who work hard and productively shouldn't reproach themselves over their rewards, especially since producing for plenty makes society a lot more comfortable than sharing unnecessary shortage. To some people pleasure may be a little sinful, but if there were no sin in the world, what would be the benchmark for virtue?

Mark Twain once commented that on the basis of the information reaching him, his choice would be heaven for climate and hell for good conversation. Maybe he had something there.

THE MEDIA MAGAZINE More

APRIL 1978

VOLUME 8, NUMBER 4



p.13

p.24

p.30

p.36

p.42

p.46

COVER STORY

- 13 Publish And Perish**
By Andrew Kopkind
Journalists are playing a new and tragic role—as targets for terror.

- 16 Violence Against The Press 1977-78**
Edited by Barbara Demick
A worldwide survey of 24 murders, 37 assaults, 20 abductions, and 13 bombings.

- 22 Assassination In Nicosia**
By Christopher Hitchens
Al Ahram editor became a terrorist target after accompanying Sadat on his trip to Israel.

Cover photo: Pedro Joaquin Chamorro Cardenal, editor of Nicaragua's *La Prensa*, after he was murdered January 10, 1978.

FEATURES

- 24 A Fool For A Client**
By A.E. Hotchner
In which the author battles Random House over an \$11,250 advance—and wins.

- 30 Weathercasters: Getting To Snow You**
By Roy Blount Jr.
Are TV weathermen Bozos or scientists? And what does "partly cloudy" mean?

- 36 The Fight Over Television Violence**
By Peter M. Sandman
Two men who monitor media mayhem are engaged in a fierce methodological debate.

DEPARTMENTS

- 42 Books**
Mass-Mediated Criticism
By Todd Gitlin
Frank Mankiewicz's *Remote Control* fails to mention whose hands are on the levers.
- 46 Furthermore**
Ceremonies Of The Tribe
By Michael Arlen
How newspapers and magazines promote themselves—and turn a deaf ear to television.

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LETTERS

'POST' COMPLAINT

Just for the record, the John Hanrahan and Chip Berlet piece on labor relations at *The Washington Post* ["The Unions Are Running Scared," December 1977] is a very bad piece of work. Its only virtue is consistency: it is wrong in big ways and wrong in small ways, inaccurate in what it says and distorted by what it omits. It is too full of errors for me to attempt to correct it.

What other result was possible? You knew that Mr. Hanrahan had been chief publicist for the *Post's* striking pressmen and that Mr. Berlet was a member of the steering committee for the pressmen's legal defense. Why do you turn for an exposition of an important and complicated subject to two people who can't possibly write honestly about it?

Mark J. Meagher
President
Washington Post Company
Washington, D.C.

MORE replies: Mark Meagher says that the Hanrahan and Berlet account of the *Post* strike is "full of errors," yet he provides no examples. There are, of course, two sides to any strike story, but Meagher has not offered any substantial evidence to counter the account we published.

Just for the record, in the authors' note which accompanied the article, we identified Hanrahan and Berlet as "freelance writers who were active in support of *The Washington Post* pressmen's strike and legal defense efforts." We did not attempt to hide their involvement. **MORE**, like many other magazines, occasionally asks participants in an event to tell their story. We would gladly consider publishing an account of the same events by Katharine Graham, or Ben Bradlee, or Mark Meagher—

and we would identify them by their corporate positions.

DANGEROUS ADVICE

I tremble at the thought that some lawyers might read Professor Franklin's article on the *Herbert* case ["Libel Gets Tougher," February 1978] and take it seriously. If they do, freedom of the press will suffer. The message of that article is that the *Herbert* decision, which protects journalists from examination in libel suits about their mental processes in selecting their subjects and opinions, threatens the integrity of *Times v. Sullivan*, which narrowly restricts the ability of public officials and public figures to recover damages for defamation of their character.

Though it happens virtually every day, I continue to marvel at the capacity of law professors to issue proclamations of caution where fundamental liberties are concerned, out of an exaggerated taste for neutrality in the struggle between those who are protected by the Bill of Rights and those who would ignore those rights. Thus, Professor Franklin wants us to accept his thesis that the right of public officials and public figures to sue for libel must be balanced equally against the right of the press to its freedom under the First Amendment. His conclusion, therefore, is that unless we make it easy for plaintiffs to root around in the minds of journalists in order to learn if they were reckless in asserting fact A rather than fact B, the Supreme Court might abandon the principle of *Times v. Sullivan* altogether.

That, I must say, is sheer nonsense, worse strategy, and dangerous advice.

If a public figure or public official wants to try to estab-

lish that a journalist defamed him, he should be required to do so without being allowed access at all to the mind of that journalist, or to the memoranda or conversations he or she might have had in preparation for the published article or film. That is to say, if a public official or public figure wants to penalize a journalist for writing about him in an unflattering way, it should be made a very difficult task, even if the published article contains misstatements of fact.

If journalists are made easy targets for libel suits, caution will overwhelm them, and they will shy away from critical articles lest they be successfully sued, and all of us will be the losers. It is better to take the risk of factual error than to inhibit the robust debate (as the Supreme Court put it in *Times v. Sullivan*) which is encouraged by insulating journalists and journalists from the fear of lawsuits.

I don't think Professor Franklin appreciates any of that, and I hope that his prudent counsel gets the immediate burial it deserves.

Melvin L. Wulf
Clark Wulf & Levine
New York, N.Y.

DINING OFF THE RECORD

In the February issue of **MORE**, in his article "Dining Out In Medialand," Nicholas von Hoffman says that "'off the record' doesn't exist," and that "reporters are seldom in a position to have ethics." I have had a fair number of dealings with the press in my career and my experience has been quite different from what Mr. von Hoffman concludes. There are times when I have been unhappy with the press, when I have been misquoted, or erroneous statements were made about me on matters that could easily be checked. I have never felt, however, that I have been dealt with unethically by a reporter, nor has a reporter ever printed anything I have said

when he has agreed to let me answer a question off the record.

During 1973, I spent five months in Washington as President Nixon's lawyer in the tapes case. I frequently had dinner with a bachelor friend of mine who was in the Washington bureau of a major news publication and who was keenly following the Watergate matter. Before the first of these dinners I worried whether it would be a good idea to have dinner with my friend. We worked very long hours at the White House that summer. By the time I was free to go to dinner, I was tired, and I was afraid that a couple of drinks might loosen my tongue and cause me to say something that I would not want to see in print. He assured me he would do his best to get stories from me during the day, but that whatever I said when we dined together was not only off the record but would not be used in any way. In the course of a long summer, we had many such dinners. Although I was careful to guard truly confidential matters, I felt free to talk with him on many things that the press would have thought newsworthy and that I would not have spoken of had I expected to see them in print. Not once was my trust in this reporter betrayed in the slightest.

I do not think this incident was exceptional. I think that almost all members of the press adhere to high ethical standards.

Charles Alan Wright
University of Texas
School of Law
Austin, Texas

RAW DEAL?

In reviewing *The Washington Post Deskbook on Style*, [January 1978], it would have been helpful if Roy Blount Jr. had had a copy of the book—instead of the first set of page proofs, clearly marked "uncorrected."

He complains that one ex-

ample of a rule contradicts the book's own style in two respects; but those were corrected on the page proofs last August and never saw print.

He complains also that "looking something up" was somewhat difficult—as indeed it must have been, since the table of contents had only "000" instead of page numbers and since the index had not even been compiled at that point.

I made scores of other typographical corrections and substantive changes in two subsequent revisions before even the first copy of the book was finally printed several weeks ago (after the Blount review appeared!).

Of all books to be reviewed in raw, uncorrected form, a stylebook should be one of the last.

Robert A. Webb
The Washington Post
Washington, D.C.

Roy Blount Jr. replies: I called McGraw-Hill, learned that Mrs. Lou Ashworth was the editor handling the *Post* stylebook, told her I was writing a review, and asked her what changes would be made in the uncorrected proofs. She said changes would be in typography rather than content. I'm sorry for the confusion, but I don't feel culpable. As for the *Post* book's organization, the addition of an index must help some, but the other stylebooks I reviewed were alphabetized and cross-referenced so as not to require constant turning to indices or tables of contents.

THORNY ROSEBUD

Poison ivy, oak, and sumac to Leonard Sellers for his "Rosebud" article ["California Dredging," February 1978]. In his zeal to pin a rose on some part of the anatomy of Bruce Brugmann, *San Francisco Bay Guardian* publisher, Sellers entangled himself in the thorny thicket of half-truth, distortion, and downright error.

A balanced presentation of the facts is missing from Sellers's article because he failed to interview one of the central figures of his story—me.

The thesis of the piece seems to be that San Francisco dailies ignored the issue of my campaign financing, leaving it to the *Bay Guardian* to wage a lonely battle for rectitude. Any examination of San Francisco newspapers will show what nonsense that thesis is; the deficit arising from my statewide campaign in 1974 and my efforts to reduce the deficit through fundraising functions have provided hundreds of column inches of newsprint over the years.

Last April, Bruce Brugmann filed a complaint with the California Fair Political Practices Commission (FPPC) demanding that the financing of all my campaigns be investigated. He made no specific charges. Brugmann, who supported me in my first campaign for the San Francisco Board of Supervisors in 1967, turned against me around 1970 when, as a supervisor, I refused to support his scheme to add some 20,000 employees to an already swollen city bureaucracy.

With my nomination hanging in the balance, the FPPC proceeded to take six months going over my campaign finance records. In the first month, they found an indication that a contributor may have made a loan and contribution given her by someone else. They spent the next five months taking depositions from 40 people and compiling 2500 pages of material in an effort to find some evidence that I knew about the alleged improper contribution. Since I had no such knowledge, it is not surprising that they found no such evidence, and so stated in their final report in November. By a 4-1 vote, the FPPC charged me in a civil suit with negligence for not knowing, but threw in an alternative charge of knowledge, for good measure.

In a long op-ed article in the

San Francisco Examiner in December, Joseph Remcho, the lone dissenter on the FPPC, wrote: "If he is able to both secure an early trial date and vindicate himself, Mendelsohn may be able to regain the nomination and repair the damage to his career."

Amazingly, in criticizing the *Examiner* on the issue, Leonard Sellers described the article written by Commissioner Joseph Remcho as "an op-ed piece by Mendelsohn's lawyer." Sellers went on to describe a supportive article by noted Harvard historian, Dr. Kevin Starr, as "a simpering column by a society writer."

Sellers repeats as gospel *Guardian* charges about me and my voting record which are simply untrue. Further, he completely leaves out mention of the lie detector test which, in my frustration, I voluntarily took last summer, and which unequivocally indicates I have told the truth on the question of knowledge of the alleged improprieties.

Since November, I have pressed strongly for an early trial date so that I may have the day in court which was denied me by the FPPC. Secretary of the Interior, Cecil Andrus, has been steadfast in his intention to ask that my nomination (which I had requested be withdrawn) be resubmitted to the Senate following a successful court decision.

In the meantime, I am working with the Pennsylvania Avenue Development Corporation, coordinating the corporation's \$50 million public improvement program. Leonard Sellers terms this activity "supervising some sidewalk construction in Washington."

Robert Mendelsohn
Washington, D.C.

Leonard Sellers replies: Mendelsohn is right on one count. The *Examiner* op-ed article was not written by Mendelsohn's lawyer. It was written by Joseph Remcho, a member of the FPPC. I confused Rem-

cho with Jerome Falk, a lawyer who does represent Mendelsohn and who at one time represented the FPPC. I apologize for the error.

Mendelsohn is also correct in saying that I never talked to him. He never returned my calls. This, apparently, is normal procedure for Mendelsohn. While the story was unfolding, Mendelsohn never returned calls from the *Bay Guardian*. David Johnston of the *Los Angeles Times* and Lou Cannon of *The Washington Post* had similar problems. The fact is I tried. Mendelsohn should know by now that one can't kill a story by refusing to talk about it.

As for the lie detector test, results from such tests are not admissible in court, for good reasons. I had no desire to drag that into the story, no matter what the results.

Two further points should be made. Mendelsohn writes, "They [the FPPC] found an indication that a contributor may have made a loan and contribution given her by someone else. . . ." It was not a loan. It was a large chunk of allegedly laundered money entered into the ledgers over the whited-out name of the man who started the chain of cash-passing. Second, although it's true the *Guardian* was upset about the local utility company, it began going after Mendelsohn when it discovered that he had not declared tens of thousands of dollars in campaign loans and contributions. The article tried to make both of these points quite clear.

THE LAST WORD

I'd like to thank I. F. Stone for his inspiring description of the origin of the Word [January 1978]. We constantly need to be reminded of the things journalists cherish and should deem sacred, such as the mystery and power of language.

It was worth a year's subscription.

Robert Podesfinski
East Rutherford, N. J.

HELLBOX

EDITED BY STEVE ROBINSON

MINNEAPOLIS PAPERS' STRANGE BARGAIN

Star And Tribune Co. May Buy Plaintiff To End Antitrust Suit

The Minneapolis Star and Tribune Company has come up with a bizarre way to dispose of an antitrust suit filed against it by the Sun newspapers, a chain of 16 small Minnesota publications. The conglomerate, which publishes the only two dailies in Minneapolis, is seeking to settle the case out of court by purchasing the plaintiff—for an estimated \$2.5 million, plus the assumption of a reported \$5 million in debts.

Since September 1975, the Star and Tribune Company—which also owns papers in South Dakota, Montana, Colorado, and Maryland, a television station in Kansas, *Harper's* magazine, and a large share of Harper & Row publishers—has been facing a series of antitrust charges filed by the Sun papers in U.S. District Court. After three years of pre-trial maneuvering that produced a two-foot stack of legal papers, the case was scheduled for a hearing by the end of this year. If the Star and Tribune Company had lost, it could have been forced not only to pay treble damages for monopolistic practices over a ten-year period, but also to sell off one of its two Minneapolis papers.

The company is no stranger to divestiture. In 1976, it sold its minority interest in WCCO, the CBS television affiliate in Minneapolis, in an-

icipation of an FCC regulatory order against newspaper-broadcast combinations.

If the purchase of the Sun papers goes through—the deal is awaiting the approval of some Sun minority stockholders—the Star and Tribune Company has announced that it will turn right around and sell its new acquisition, presumably to someone who won't initiate another antitrust suit. Even if the company is forced to sell the Sun papers at a loss, it will not lose as much money as it would have had it lost the antitrust suit.

The deal was negotiated this winter with the Sun papers' owner, Carroll E. Crawford, an entrepreneur who had pressed the antitrust suit at considerable cost. The

"predatory practices" listed in the suit allegedly have kept the Sun papers in the red for years. Crawford makes no bones about his purpose in settling—he is going to receive a great deal of money. "I don't see anything funny about it," he says. "I think it's an excellent way to settle the case."

At the request of the Star and Tribune Company, much of the material in the antitrust case is protected by a confidentiality order. But the main allegations are that the Star and Tribune offered unreasonably low, non-compensatory advertising rates "with the intent and having the impact of deterring potential competition"; that they entered into an unlawful combination with the two daily newspapers in

St. Paul to divide the Twin Cities area into non-competitive zones; that the *Tribune* has been unprofitable, supported by the *Star*, and sold below cost to prevent entry by another morning paper; and that the company fraudulently concealed financial information from employees and the public.

The two St. Paul papers, owned by the Knight-Ridder chain, were also named as defendants in the suit, and they are contributing toward the proposed purchase of the Sun papers.

The Justice Department has been keeping a close watch on the Sun deal, and lawyers there say they can't recall any precedent for it. But Gerald Connell, chief of litigation for the antitrust division, says the government will not attempt to enjoin either the purchase or the settlement of the suit.

—JAMES GLEICK

ABC LANCED

Atlanta Affiliate Bars Network Newsmen

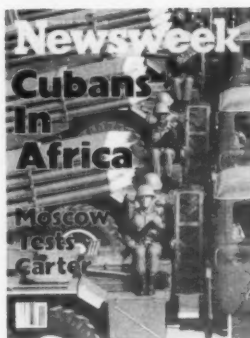
WXIA-TV, Atlanta's ABC affiliate, took quite a beating from the press when it hired Bert Lance as a \$50,000-a-year commentator. But nothing smarted so much as the coverage of Lance's debut by WXIA's own network. ABC's Atlanta-based correspondent, David Snell, reported that signing Lance was "either a coup or a scream for attention" by a station that is a "perennial also-ran in a three-station competition."

That kind of jab from within the family was apparently too much for WXIA, which promptly barred Snell from its building and complained about his work to ABC News President Roone Arledge.

In his February 6 broadcast, Snell told a national TV audience that he had asked WXIA News Director Dick Williams why Lance had de-

MISSILEADING

Newsweek's March 13 cover featured an impressive array of Cuban artillery and grim-faced infantrymen with the bright red headline, "Cubans In Africa." One might expect that the photograph was of Cubans in Africa. Not so. According to Black Star photographer Fred Ward, he took the picture during a December 1976 military parade in Cuba. Editor Edward Kosner says that, yes, the photo should have been identified.





WXIA News Director Dick Williams (right) locked out his network's correspondent for knocking commentator Bert Lance.

cided to become a commentator. "He's not doing it for the money," Williams replied. "He's doing it so he can run for governor."

Williams says Snell "pulled a cheap trick" by using a quote he knew was spoken in jest. He claims he and Snell were engaging in some tongue-in-cheek newsroom banter, not a formal interview. "Lance has a firm, one-year contract," says Williams. "He can't run this time around."

Snell claims he was speaking to Williams as a reporter. "I'm on solid ground with the facts," he says.

Williams considers Snell's reference to the station as a "perennial also-ran" an "insult to my staff." "We went out of our way to accommodate Snell," the WXIA news director says. "We gave him access to Lance on the night of his first broadcast that we didn't give to any other reporter. Even Walter Cronkite described us less sarcastically as 'the third-place station.'"

Says Snell, "I was merely citing a reason why the station would hire Bert Lance. I have friends on the WXIA staff who pre-date Williams, and they regard it as an accurate statement."

WXIA General Manager Jeff Davidson placed a call to

ABC's Arledge after the Snell broadcast, and Williams phoned ABC Executive News Producer Av Westin. According to Williams, Westin indicated that he was in agreement with WXIA "without specifically admitting that Snell was wrong."

Davidson never got through to Arledge, but the ABC News president was reported to have been concerned about whether Snell was being hindered in his ability to transmit stories back to New York. Snell has experienced some inconvenience since being banned from the WXIA studio and its film-editing facilities. He has had to park the ABC video trailer in WXIA's lot (to which he is still allowed access) and plug into the station's outlets. This arrangement is adequate for transmitting videotape stories, but could prevent him from filing filmed pieces which would require editing.

Neither Westin nor Arledge could be reached for comment about the strained relations between the network correspondent and the ABC affiliate. A network spokesman would only say that, "We have a fine relationship with the Atlanta station and are not aware of any problem." Williams disagrees: "The ban is still in effect. I don't want him

in the building or in the newsroom. But I don't want to put the guy out of business."

On two occasions since Snell's report, Williams has almost come to blows with Snell. "I called him every name in the book," says Williams. "If he had so much as flinched, I'd have considered it an assault on my person. I told Snell we could settle this on a man-to-man basis in the parking lot, but this is not practical in this day and age."

ABC further alienated its affiliate by convincing WXIA to feed videotape to the network for what Williams understood to be an innocuous story about Lance at the end of his first week on the air. Instead, it was what Williams described as "a mean piece about Bert's litigation." Lance himself advised against the feed, telling Williams, "They're gonna screw you."

Station engineers have orders to notify the newsroom any time the network crew comes into the parking lot. "We want to know if they take anything off our air," says Williams. "I don't want to be painted as some red-neck buffoon. My quarrel with Snell is personal rather than professional."

—ROBERT CORAM

LONE STAR

Editor Shoots Down Local Boondoggle

When Joe Shields, editor and publisher of the *Canyon Lake Times Guardian*, decided to take on the local chamber of commerce in his rural Texas community, it almost cost him his newspaper.

Last October, the chamber of commerce solicited the editor's support for its plans to woo the Houston-based Institute for Enteric Diseases into relocating at Canyon Lake, a town of 6,500 about 200 miles from Houston. The institute, which sponsors research into

gastrointestinal disorders, offered to contribute \$550,000 toward construction of a research and public health facility if the town of Canyon Lake could come up with the remaining \$300,000.

Shields was neutral to the plan at first. But he soon came to oppose the project, which he now says "was being misrepresented from beginning to end."

In his editorials in the *Times Guardian*, Shields questioned why the people of his community were being asked to donate \$300,000 toward a research facility when what the town really needed was a doctor.

Shields also objected to the failure of the institute and its local boosters to obtain a Certificate of Need from the Texas Health Facilities Commission—a legal document required before any solicitation for funds could take place. And he pointed out that because the proposed site of the institute was on hardrock with poor drainage, pathogens from the research might contaminate the county water supply.

Shields's refusal to support the project resulted in swift retaliation from the town's business interests. In early December, the editor received a letter from the Canyon Lake Bank calling in a \$12,000 loan.

On December 8, the *Guardian* ran a front page headline, "Canyon Lake Bank Calls In Times Guardian Note and Tries To Silence Fund Drive Questions." Immediately after the story ran, 20 percent of Shields's advertisers pulled out of the paper. Many were members of the project's steering committee. The advertisers then offered their business to the neighboring New Braunfels *Herald*, which promptly issued a special Canyon Lake supplement. One ad included the line, "We are proud to give our full support to the Institute for Enteric Diseases."

According to a spokesman for the Canyon Lake Bank,



Editor Joe Shields: Fighting gastrointestinal disorders in Texas.

calling in Shields's loan was a precautionary measure, since the Comal County School Board had threatened to put a lien on Shields's property for failure to pay \$700 in school taxes. "I had paid those taxes," says Shields. "They never checked with me first."

Edwin Nolan, the bank's attorney, and a member of the project's steering committee, now admits that Shields had, in fact, paid his taxes before the bank sent its dunning notice.

After Shields's December 8 story appeared, some citizens, alerted to Shields's financial plight, came forward

and lent him enough money to pay his bank note. "A lot of people like Joe around here," says a local clergyman.

The institute for Enteric Diseases has subsequently decided to withdraw its proposal to move to Canyon Lake. According to Herbert Dupont, head of the institute, it was Shields's denunciation of the project that led to the decision to cancel it.

Canyon Lake still has no doctor, but, says Shields, "I'm working closely with the County Medical Society, and we should have one by summer."

—JOHN KELLER

'NEWS' SUIT

Woman Reporter Charges Sex Discrimination

New York *Daily News* Editor Mike O'Neill probably didn't know how prescient he was being when he told a meeting of Women in Communications last November that many newspapers are "too masculine." A few weeks later, a woman reporter at the *News* filed the first sex-discrimination suit in the pa-

per's history.

The plaintiff, Cass Vanzi, had been transferred from her beat at police headquarters to general assignment on the night shift. Her replacement was a male reporter with more experience—but not more experience on the police beat.

"It was a routine personnel change," says *News* Associate Editor Ed Quinn. Vanzi believes that she was transferred because *News* editors felt that a woman couldn't handle the job at police headquarters. Quinn disagrees. "She was one of 12 who were transferred. It happens all the time. In this case, she took ex-

CHECK IT OUT

"GODFATHER'S" REVENGE: Lucian K. Truscott IV's article, "Hollywood's Wall Street Connection," in the February 26 *New York Times* Sunday magazine, has mobilized some heavy artillery. Allen & Company, a Wall Street investment banking firm which owns a controlling interest in Columbia Pictures, has retained the law firm of Holtzmann, Wise, and Shepard to represent it in a \$150 million libel suit against Truscott and the *Times*. The article referred to Charles Allen Jr. as the "Godfather of the New Hollywood"—an appellation to which the 75-year-old multi-millionaire took exception. Truscott has been instructed not to discuss the case by *Times* attorneys, and nobody at Allen & Co. cares to talk about the article. But Robert Werbel, the attorney handling the suit for the investment house, has retained the services of Kekst & Co., a financial public relations firm, to investigate Truscott. Werbel insists that Kekst is merely compiling a dossier on everything Truscott has written—"You never know when you'll find a needle in a haystack," he says. Kekst's Jim Fingerhuth adds, "We're just trying to find out about his writing and his attitudes."

BROKEN PROMISES: Women at NBC say that the network is not holding up its end of a \$2 million settlement of a class action, sex discrimination suit. The Women's Committee for Equal Employment Opportunity filed a contempt motion against NBC on February 27 to force the network to keep promises made last August. According to attorney Janice Goodman, NBC has postponed a scheduled evaluation of professional and managerial jobs for three to four months, delayed pay increases for women who are currently underclassified, and retaliated against a woman whose job rating was submitted to arbitration. NBC calls the charges "completely erroneous" and claims it has already exceeded its 1977 goals for TV assistant and electronic journalism jobs.

GUILD RIDDANCE?: A dispute over layoffs resulting from the demise of the *Chicago Daily News* in early March has prompted the Chicago Newspaper Guild to charge the publisher with numerous contract violations and unfair labor practices. According to Guild attorney Irving M. Friedman, Field Enterprises, Inc. discriminated in its layoffs by specifically targeting "Guild activists and people by age, race, and color." Field Enterprises denies the charge, and the matter is headed for months of grievance arbitration and investigation by the National Labor Relations Board. Among those fired at the *Daily News* and the *Sun Times* were the chairperson, vice-chairperson, and chief steward of both papers' Guild units. These six people, says Friedman, constituted "every unit leader in both the *Daily News* and *Sun-Times*."

BONE OF CONTENTION: Christopher Lehmann-Haupt is a bit uneasy about having his name used to sell H. R. Haldeman's *The Ends of Power* in the pages of his own paper. Times Books, a subsidiary of The New York Times Company and publisher of the Haldeman book, has run several ads in the *Times* with quotes from Lehmann-Haupt's review: "Revelation-studded . . . the details on Watergate are fascinating, highly plausible, and go a long way toward clearing up certain mysteries." That makes it sound like a rave review. In fact, says Lehmann-Haupt, "It was generally a negative review. That was a bone I threw them."



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STOP THE PRESS: The official word from Flynt Publications is that the *Los Angeles Free Press*, acquired three months ago, is "closed down for eight to ten weeks pending revision to go national." But staffers don't believe it. "The *Free Press*

UPI



Flynt in court before shooting.

is dead," says Executive Editor Jeff Nightbyrd. "The Los Angeles Police couldn't close it down in the '60s, sleaze couldn't close it down. It took Larry Flynt to close it down." The death of the paper was foreshadowed at the end of February when Flynt, target of an assassination attempt March 6, dumped Jay Levin as publisher after two months at the top of the masthead. Flynt and Levin disagreed about the *Free Press's* target audience, with Flynt aiming for "everyone from the *barrio* to Beverly Hills," according to Levin. One sore point was an article Levin ran about Flynt written by Coleman Andrews. Flynt ordered a front page retraction, mainly to correct minor errors. "Who are these ungrateful people?" Flynt reportedly said. "You give them a job, and they get your middle name wrong."

LUCKY GUY: To the Lucky Supermarket chain, Doug Llewellyn is a prized pitchman. To KNXT-TV, the CBS owned-and-operated station in Los Angeles, he's the moderator of *Here and Now*, a weekly newsmagazine show. To many of his colleagues, he's a man in the middle of a conflict of interest. Llewellyn is not technically in violation of the station's regulations—*Here and Now* is a public affairs program of the broadcasting department, not news, and, contractually, KNXT was powerless to stop Llewellyn from auditioning for the Lucky ad. When the ads started running six months ago, KNXT pulled Llewellyn from his early morning newscasts, which fall under the news department's jurisdiction. Broadcasting director Arnold Brustin says the station has "de-escalated" its involvement with Llewellyn. Llewellyn, however, sees nothing wrong with his moonlighting. He says he did ads for Sears when he worked as a feature reporter in Washington, and it never impaired his credibility.

DEAR FCC: Americans got a lot angrier at what they were watching on TV in 1977 than in the year before—if complaints logged by the FCC are any indication. While the total number of complaints about commercials actually declined, those about program content more than doubled, from 10,613 in 1976 to 29,211. Complaints about TV shows which entailed possible violations of FCC rules or policies more than tripled from 6,337 to 20,628. Within this category, "obscenity, profanity, and indecency" led the list with 19,560 complaints in the FCC files compared to only 4,797 in 1976. Sex retained its lead over violence as the leading cause for angry letters and calls to the FCC, but "crime, violence, and horror" still registered a healthy increase. "Religious criticism, ridicule, and humor" showed a six-fold increase over the previous year, and protests about "un-American, Communist" programming increased by 1,000 from only 124 in 1976.

ception."

The transfer is technically a lateral one with no reduction in pay or rank. But, at the *News*, it is considered a demotion. Few of the 40 women reporters at the paper are on beats. Vanzi had worked toward hers throughout a three-and-a-half-year career at the *News*, covering the police while she worked on general assignment in Brooklyn—and winning the praise of her editors.

"This transfer has damaged my career as a police reporter," says Vanzi. "I have lost valuable sources. People at police headquarters think I was demoted for doing something wrong."

Vanzi believes that she was originally given the assignment only because she threatened to bring a sex-discrimination suit. "I told several people that if I were not assigned to police headquarters, I would consider bringing suit," she says. "A month later, I had the assignment."

Some *News* reporters say that Vanzi's transfer is the result of the old-boy network at the paper. "Male editors rely on other men, their buddies, when there's a big assignment

or a critical story," says one woman. "One editor had even remarked that no woman would ever have the police beat at the *News*. The attitude was that a female reporter wouldn't fit in."

But, in her nine months on the police beat, Vanzi seems to have fit in quite well. "Some people say that she was getting too friendly with the police, that her objectivity was threatened," says one male colleague. "That's garbage. Every police reporter gets close to his sources. Cass was always professional."

Vanzi claims she was taken off the police beat because the editors, who did not want her there in the first place, now feel that the nine-month stint is proof they gave her a chance. "The wind is out of my sails," says Vanzi. "The transfer is their way of giving me a slap on the wrist."

Early on, Vanzi offered the *News* a compromise: a split shift with her time divided between police headquarters and general assignment. The editors refused, saying such divided shifts were not allowed. They later reversed their position and offered her a shift calling for Saturdays

Libby Bianchi



Daily News reporter Cass Vanzi: Was she reassigned because her editors didn't want a woman covering the cops?

HELLBOX

and Sundays and 4 to 5 p.m. weekdays at police headquarters. The balance of her time was to be spent on general assignment.

Vanzi rejected the offer. "It was an empty compromise," she points out, "because no one is at headquarters on weekends—even the newsroom there is locked. And from 4 to 5 p.m. on weekdays, people are getting ready to go home."

Vanzi first fought the transfer through the Newspaper Guild, the State Division of Human Rights, and the Equal Employment Opportunities Commission. The EEOC is currently investigating Vanzi's complaint, and in June a lawsuit may be brought. Vanzi's attorney, Bonnie Josephs, is attempting to compile information on merit salary increases for men and women at the *News* to use as ammunition in a possible class action suit, like the one pending at *The New York Times*. Both staffing statistics and testimony of men and women reporters at the *News* will supply potent evidence, says Josephs.

According to sources at the *News*, of 600 editorial employees, only 85 are female; of 340 reporters, only 40 are women; and, except for the women's page, there is only one woman in editorial management—an assistant night city editor.

Virginia Gallagher, who runs the Affirmative Action Program at the paper, denies the discrimination charge, saying that the *News* has worked hard to attract and promote women reporters. A recent hiring freeze, she says, has hampered those efforts.

Vanzi's charge has apparently thrown something of a scare into the *News* management. "Some very strange things have happened," says one woman reporter. "There are sudden transfers to plum

assignments. Some women got beats. And each time the editors would tell the woman very emphatically, 'This is strictly on merit. You deserve this.'" Other women say they received congratulatory phone calls and notes from male editors, complimenting them on promotions or on stories. One borough reporter received a glowing memo from a high level editor she had never met. He commented warmly on what she calls a very run-of-the-mill story.

"It's so transparent," says one woman. "It's so obvious. They're trying to cover a pattern of discrimination that they've practiced for years. A few memos on file, a few token promotions won't do it."

"Some editors at the *News* are very enlightened and try hard to be fair," says another reporter. "But lots of them are still in the dark ages."

"The most important thing about this case," says *News* reporter Joan Shepard, "is that it makes the paper tangibly aware. This is a matter of law. Now they realize that. Just as it's against the law to assault someone or rob someone, it's against the law to discriminate against someone. Somebody had to bring a case to court before the paper understood that."

—MARY BYRNES

DAM THE CRITICS

Press Slants Coverage Of N.D. Water Project

When the North Dakota Garrison Diversion Project appeared on President Carter's water projects hit list in February, North Dakotans reacted to the news with surprise. Because the state's newspapers had given so little attention to mounting opposition to the project, North Dakota citizens were surprised to finally learn that a determined environmentalist campaign had convinced the Car-

ter administration that the project's ecological liabilities far outweighed its potential benefits.

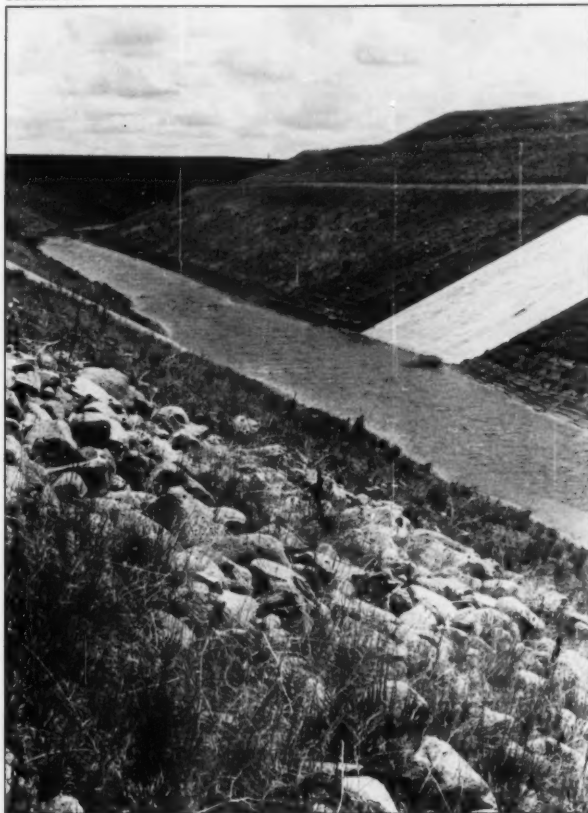
The Garrison Diversion Project has been the biggest story in North Dakota for years. It is a scheme to divert water from the Missouri River, through a system of reservoirs and canals, to irrigate 250,000 acres of land in central and eastern North Dakota. Return flows from the irrigated areas would enter the James River, which flows into South Dakota, and the Red River, which divides North Dakota and Minnesota.

Opponents of the \$600 million plan include the South Dakota legislature, which passed a resolution questioning the project, the Minnesota Pollution Control Agency, which joined a lawsuit seeking to halt its construction, and

Suzette Bierl

the International Joint Commission, a U.S.-Canada panel. The commission issued a unanimous recommendation in December calling for a drastically reduced project which would not affect streams flowing into Canada. The action was instrumental in the Carter administration's decision to scale down the plan to irrigate only 96,300 acres.

North Dakota's four major dailies have had a long-standing commitment to the project, which has resulted in a virtual blackout of the environmentalists' opposition and vilification of those who have challenged the plan. When Secretary of the Interior Cecil Andrus recommended to Carter that Garrison be pared down, the *Minot Daily News* called him the "Benedict Arnold from Idaho."



The McClusky Canal, part of the Garrison Diversion Project. The North Dakota press was silent on environmentalists' opposition.

Darrell Williams, public relations director for the project, could think of only one critical editorial that has appeared in a North Dakota daily—and that was in *The Dickinson Press*, a paper with a circulation of 8,000 in the southwestern corner of the state, well away from the plan area.

On December 14, 1977, when Federal Judge Charles Richey affirmed the Audubon Society's right to sue the project, the *Minot Daily News* ran a front page headline, "State Is Loser." An earlier article in the same paper had attacked the Audubon Society and the Department of the Interior for managing "to keep any legal action confined to a court in Washington, D.C., 'friendly' to environmentalists."

Many news stories published in the four major North Dakota papers were unat-

tributed press releases distributed by Williams, the project's P.R. man. On August 25, the *Daily News* ran verbatim a press release claiming that 31 cities were anxious to start receiving water from the project. There was no attribution for the statement.

In September, a page one story in the *Fargo Forum*, the largest paper in the state, with a circulation of 70,000, reported on reaction to the IJC's condemnation of the project. "North Dakota leaders were grieving," the paper said, because IJC's action "dismembers the project." The article was another of Williams's press releases.

In several instances, the commitment of the state's journalists to the project has gone beyond editorial support. In March 1977, John Paulson, editor of the *Forum*, traveled to Portage la Prairie, Manitoba, to testify in favor

of the project before the IJC. Members of the *Daily News* staff have gone to Washington to lobby for the project. In one case, a reporter wrote speeches for proponents of the project, then covered the hearing at which the speeches were delivered.

Jack Hagerty, until 1975 the managing editor of the *Grand Forks Herald*, helped create news favorable to the project. In an attempt to convince Congress to continue appropriating funds, Hagerty contacted the mayor of Grand Forks, who arranged for the town council to pass a resolution of support. Hagerty then assigned a staff member to report the action.

Editors have also tried to influence coverage by the Associated Press, to which the four papers subscribe. "Most of the newspapers have very strong feelings," says AP Bismarck bureau chief Brent

Kallestad. "We caught holy hell from editors and publishers who thought our coverage should favor the project." (The AP was complimented by *The Dickinson Press*, which had editorialized against the diversion plan, for throwing away Williams's barrage of press releases.)

The *Daily News's* nonagenarian publisher, Hal Davies, dismisses opposition to Garrison as "not informed opinion." *Fargo Forum* City Editor John Lohman claims that Audubon Society advocate Rich Madson "comes from a very small base. The basic 'anti' is himself. He hasn't changed his position. He's stale." That, says Lohman, is why the *Forum* doesn't pay much attention to Madson. "We try to be as fair as possible, but we're dealing with the same cotton-pickin' words. There is nothing new."

—MIKE JACOBS

JUVENILE CRIME

W. Va. Papers Indicted For Printing Boy's Name

News of juveniles committing serious crimes is becoming standard fare in big-city dailies. But in Kanawha County, West Virginia, a story about a 14-year-old accused of murdering one of his classmates was so shocking that two newspapers recently chose to violate state law and publish the suspect's name. On March 1, a county grand jury indicted the two papers—*The Charleston Gazette* and *The Charleston Daily Mail*—the papers' editors, the *Gazette* publisher, and two reporters for having printed the 14-year-old's name.

When the suspect was arrested in early February after a dramatic manhunt, the morning *Gazette* printed his name and explained in an accompanying editorial that

the editors were fully aware that they were breaking the law. "When we decided to use the boy's name, we decided to break the law," wrote editor Don Marsh, one of those indicted. Marsh says the decision was made in the public interest and because he and publisher W.E. Chilton III question the validity of the law.

"I certainly believe in obeying the law," says Chilton, "but I don't think there's a damn thing in the First Amendment that tells me I can't print the name of anyone. Any law restrictive of the First Amendment is a bad law, and any time that a law restricts the press's freedom the press should try to overthrow it."

Jack Maurice, editor of the afternoon *Mail*, says he agrees with Marsh's and Chilton's reasons for printing the boy's name, but adds that since the morning paper had already printed the name, he thought it necessary to do so as well. The reporters involved, Leslie Milam of the *Gazette* and Mary Schnack of

the *Mail*, referred questions about their role to their editors. But both acknowledged that they were aware of the law and agreed to violate it.

While lawyers for the papers say that the First Amendment issue will be the basis for their defense, there is also a Fourteenth Amendment defense arising from a curious oversight in West Virginia law. While the statutes specifically prohibit the printing of a minor's name, there is no such restriction on the broadcast media. Local television and radio stations had already sent the name of the boy over the airwaves before the papers ran it. The Fourteenth Amendment, which assures equal protection under the law, may be cited because, say *Gazette* and *Mail* lawyers, their clients are not being afforded the same protection as broadcast journalists.

Kanawha County Assistant Prosecutor Spencer Simpson agrees that the papers "have a legitimate issue," but says that Marsh's editorial "begged for prosecution." The violation is a misdemeanor car-

rying a maximum penalty of up to six months in jail and a \$100 fine.

Lyell Clay, the publisher of the *Daily Mail*, was not indicted because he was not involved in the actual editorial process. But he says that he will stand by his editor's decision to run the boy's name. "I don't see how we can do anything but go all the way down the road with it."

That may mean pursuing the case as far as the U.S. Supreme Court. Both sides have already indicated that they will appeal any unfavorable ruling. The papers are requesting a writ that would preclude a trial in the local circuit court because it is not suited to try constitutional cases. If the writ is obtained, the case will be heard in the West Virginia State Supreme Court.

There is no legal precedent in the state's history for the *Gazette* and *Mail* case, and the final decision will determine, at least for West Virginia, just how far the press can go in reporting juvenile crime.

—BRIAN BEKER

PUBLISH AND

Journalists have become symbols
and spokesmen for political
points of view—and targets for assassins
out of control, enforcers out of
uniform, and policemen outside
the rule of law.

PERISH

By ANDREW KOPKIND

In the past 15 months, at least 24 journalists around the world have been murdered. Another 37 have either been tortured by police or injured in violent attacks carried out by political extremists. Twenty more have been abducted, and many of these are still missing and presumed dead.

Among the victims were:

- A prominent Nicaraguan editor gunned down by men believed to be in the pay of a businessman with ties to dictator Anastasio Somoza.

- The editor of Egypt's leading newspaper, *Al Ahram*, who was a personal friend of Anwar el-Sadat, assassinated in Cyprus by pro-Palestinian terrorists.

- The deputy editor of one of Italy's major dailies shot in the face and killed by leftist urban guerrillas.

- Dozens of reporters and editors in Argentina kidnapped, tortured, or murdered by terror squads doing the dirty work of the more discreet police officials of the local dictatorship.

Journalists have always played a variety of social roles as communicators, crusaders, critics,

performers, power-mongers, and politicians. Each generation seems to project a favorite journalistic image: the curmudgeonly editor, the dogged investigator, the glittering media star. But now, more than ever in recent memory, journalists are playing a new and distressing role—as targets for terror.

The list of journalist-victims for the last 15 months (see chart on page 16) is long. Even so, it does not include the names of hundreds of journalists who have suffered under anti-democratic and repressive laws in their own countries.

South Africa's Internal Security Act, for example, allows it to "ban" those whose thought is considered dangerous: they may not speak or write for publication. The Indonesian

Government—which has already decimated the ranks of its journalists since the 1965 coup—simply shuts down at will what is left of an "opposition" press, as it did most recently on January 20. Pakistan's military government—faced in February with a strike by employees of television stations in four cities—simply arrested scores of participants and sentenced 22 of them to public flogging.

But terror is more terrifying and repression more unyielding when it comes by extra-legal means—by enforcers out of uniform, assassins out of control, or policemen outside the rule of their own laws. Instances of such repression have multiplied recently and journalists have become choice targets.

There is a certain logic, if not inevitability, to this new role. Journalists—defined here as any workers, managers, or owners of regular publications or broadcast organizations—enjoy a measure of protection from draconian legal repression because official agents of the state must pay tribute, however modestly, to the morals and myths of press freedom. Censorship still is a pejorative concept the world over.

Governments which would dispense with a troublesome press must therefore unofficially step outside their own laws,

or encourage others to do so in their behalf. This can be awkward. When Associated Press editor Oscar Serrat disappeared on the way to work in Buenos Aires last November, both his employer and the United States government lodged protests with Argentine officials. Despite insistence that the kidnapping must have been the work of "independent," right-wing terrorists, Serrat was freed hours later. In a similar vein, the Shah's government describes attacks on dissident journalists in Iran as factional violence.

Symbols And Spokesmen

The explosion of media hype is a particularly American phenomenon, but many other countries have traditions that confer similar prominence and stardom on newsmen, making them both symbols and spokesmen for political points of view. Woodward and Bernstein, after all, were the symbolic nemeses of Richard Nixon—more so than the politician Ervin, the judge Sirica, or the counselor Dean.

In Nicaragua, *La Prensa* editor Pedro Joaquin Chamorro was both the symbol and the spokesman of opposition to the totalitarian regime of General Somoza; on January 10, Chamorro paid with his life for that starring role. In Italy, Indro Montanelli founded the Milan daily *Il Giornale Nuovo* to spearhead opposition to socialist influence in that country; he was shot and severely wounded by ultra-left guerrillas on June 2. In Egypt, Youssef el-Sebai was not only a symbol of President Sadat's moves toward negotiations with Israel, he was a leading exponent of those policies in his paper, the "semi-official" *Al Ahram*; he was shot by pro-Palestinian gunmen in Cyprus on February 18.

Scores of lesser lights on the world's mastheads have also been attacked, but the context is the same.

Robert Martinez Montenegro was murdered in February because he was reporting on drug traffic and political corruption in Sinaloa, Mexico; editor Luc Neree was badly wounded by Haitian secret police in December because he had the temerity to report on their activities; and last January's right-wing assault on *Vima* reporter Nikos Kakaounakis was seized upon by other Athenian journalists, who called a 24-hour strike in protest.

By choice or chance, they had all become political actors, with powers enhanced by their media roles. They were no longer impartial observers, neutral reporters of unaligned facts. Instead, they had become part of a political dynamic that locked them in a deadly embrace with their desperate opponents.

It is told of Bakunin and the Czarist agent assigned to spy on him over the years in Zurich, that the two men came to rely on each other like partners in a marriage: their sense of identity came to depend on the relationship of observing and being observed. Journalists have been projected into similar relationships with their enemies. Chamorro, for example, became identified not as any ordinary editor, but as the leading opponent of the Somoza regime. His newspaper was transformed into the functional opposition party. This gave his life and his work its fullest meaning—as well as its tragic termination. The



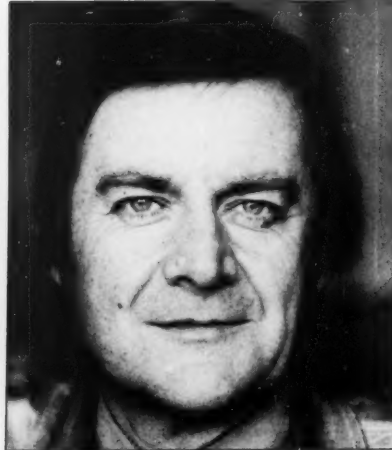
Police and spectators converge on intersection in Managua, Nicaragua, where editor Pedro Joaquin Chamorro was slain on January 10, 1978.

Andrew Kopkind is an editor of Working Papers for a New Society and a staff member of The Real Paper.

Haiti Observateur



UPI



Luc Neree (left), editor of *Jeune Presse* in Haiti, was beaten and left for dead by secret police; Oscar Serrat (center), an AP newsman in Argentina, was kidnapped en route to his office and held for 18 hours; David Holden (right), chief foreign correspondent for the *London Times*, was found fatally shot on a roadside near the Cairo airport.

more the press gains visibility as the embodiment of a political crusade, the more it is exposed to the perils inherent in that symbolic state.

Terror Right, Terror Left

"All cases are unique and similar to others," T.S. Eliot wrote: that might be said of the cases presented here—each of them particular to itself, but connected by important similarities. It can be seen, for instance, that the southern countries of Latin America constitute a veritable cesspool of repression and terror against the press. At least 12 journalists have been killed and 13 have been abducted in Argentina alone over the past 15 months, all at the hands of right-wing terror squads and government police acting outside the law.

One of the most prominent journalist-victims was Rodolfo Walsh, a widely published political commentator who disappeared hours after he wrote an angry letter to President Videla protesting the government's violations of human rights. Walsh's daughter, a journalist and political activist, had already been killed by the government, which claimed she was a member of the Montoneros, a

revolutionary group.

Much of the terror in Argentina is directed against the liberal daily *La Opinion*. Editor Jacobo Timerman and his assistant Enrique Jara were abducted last spring by men later identified as government agents. At least 15 other journalists associated with *La Opinion* were terrorized in various ways in pursuit of government allegations that David Graiver, a banker and one of the paper's financial backers, had been laundering money for the Montoneros. Some of the cases—such as Timerman's—also have distinct anti-Semitic overtones. *La Opinion* has been a strong supporter of Israel, as well as an opponent of Argentina's fascist junta.

Soon after seizing power in the 1976 coup that overthrew Isabel Martinez (the widow of General Peron), General Jorge Videla, the new head of state, remarked that, "As many people as is necessary to bring peace to Argentina will have to die." In the letter he wrote before his disappearance, Walsh estimated that 15,000 people had vanished without a trace since the coup and 4,000 more had been murdered.

Italy presents another kind of case. Here, although on a considerably smaller scale, terrorism is more equitably

apportioned between left and right. Groups on both ends of the ideological spectrum are given to violent outbursts in the current political stalemate. The Red Brigades—an ultra-left revolutionary grouping—is notable for having made journalists prime targets. They have apparently been responsible for killing Carlo Casalegno, deputy editor of the Turin paper *La Stampa*, as well as for wounding five others. One of these was the Communist journalist Leone Ferrero of *L'Unita* in Turin, presumably shot to protest the Italian Communist Party's opposition to revolutionary violence. The Italian right, which appears to be less interested than its opposition in attacking the press, has responded with bombings in Rome and Venice, the second of which killed a night watchman at the offices of *Il Gazzettino*.

Monopolizing Terror

It is easy, and in a sense just, to condemn violence from all quarters with equal fervor. But there are differences in these cases which make distinctions important. Governments always try to consolidate their power in such a way as to monopolize

terror—which then becomes part of the legal instrumentation of the state. Armed attacks on demonstrators by paramilitary police in Washington, Paris, or Peking are assigned to the category of "security"; but if such attacks are perpetrated by unofficial forces it is quickly termed "terrorism."

The most dangerous times are those in the period before the state's monopoly on terror is complete, or at the point when it begins to disintegrate. That is certainly the case in Argentina, where the junta has not yet taken command of all the machinery of power, and in Italy, where the intractable political impasse makes state power relatively ineffectual.

When the state's monopoly on force is already complete, the level of extra-legal terror is logically low. Consolidation of the state's power, of course, can come in many ways—through outright repression, as in most totalitarian regimes, or through more subtle means of cooptation—as in stable democratic states. When terrorists are active in the United States, for example, it is because the safety valves offered by a civil libertarian constitution are stuck shut, or unable to accommodate the head of

steam beneath—as during the Vietnam war era, or at the height of the black insurrection against white, racist institutions.

Many countries in which the consolidation of state power has been achieved by force do not appear in this account of press violence over the past months: the countries of Eastern Europe, South Korea, Indonesia, Rhodesia, to name but a few. Certainly there is little press freedom in those nations—either of the liberal democratic kind, or of the revolutionary variety which the official rhetoric of some of them still proclaims. There is pervasive censorship—imposed and internalized—and an elaborate mechanism under existing laws for eliminating even the possibility of serious opposition. What has happened, of course, is that most of those governments have successfully consolidated their power, and their own monopoly of official terror has yet to be broken. In time, to be sure, cracks will appear there, too, and violence may well result if the governments fail to understand the desire of their citizens for political expression.

When it occurs, violence against the press seems to take two forms. Among the cases in the last 15 months, terror from the left in opposition to existing governments is often meant symbolically and is directed against the tokens of a society that frustrates social change. That seems to be the case in Italy, for example, where the Red Brigades have been shooting offending journalists in the legs and explaining that their victims were "vomiting bad information" and were symbols of the "lackey press." These attacks were as much demonstrations to others as reprisals against the journalists in question.

Terror from the right in support of existing regimes, however—which accounts for the majority of the cases presented here—is designed for

UPI



Indro Montanelli, editor of the conservative *Il Giornale Nuovo* in Milan, is assisted moments after being shot in the legs. The Red Brigades claimed responsibility.

specific political enforcement. In Thailand, Uganda, Chile, Iran, and Nicaragua, the acts of terror against the press have been meant to kill or silence journalists challenging the state. The violence in these cases is punitive and efficient: the journalist is the target not for the benefit of an audience but because he, through his printed words, has posed a challenge.

The Politics Of Journalism

At bottom, the problem faced by journalists now is a political one. Reporters, editors, and publishers are political actors, willing or not. It is not enough to formulate the defense of journalists in purely civil libertarian terms. Democratic rights, such as freedom of the press, are valuable and necessary, and they have been dearly bought after bitter struggles.

But the murders of Walsh,

Chamorro, and Casalegno, the abductions of Serrat and Timmerman, and the attacks on Kakaounakis, Neree, and Ferrero—among the dozens of others in recent months—are not what Americans call primarily First Amendment cases. They are episodes within complex political struggles in which journalists are playing increasingly important roles. One of the consequences of the rise of the mass media is the political importance of the press—and the resulting opportunities and dangers for its stars and symbols.

In the 1960s, American activists who contributed to political publications used to wrap themselves in First Amendment rhetoric when challenged by the officials who were targets of their activism. It was the radicals' right to invoke those privileges, of course. But it was always a bit of a charade for such a journalist to shout "freedom of

the press!" as he was being carted off for throwing a brick through a draft board window.

The authorities would say such claims were an "abuse" of constitutional liberties. More to the point, however, they were evasions of a journalist's real role. The way for newsmen to deal with political struggle is to accept their political importance, to organize if they can for defense where it is necessary, to explore together the morality and ethics of participation in institutions that have political significance. These are not simple matters to consider. A reporter for *The New York Times*, for example, may have an important symbolic role merely as a participant in that institution, which is so clearly identified with American power. Or the reporter may have an important substantive role in shaping Americans' opinion of political events. *The Times's* reporting on Eurocommunism helps formulate American policy in Western Europe; coverage of Chilean socialism helped rationalize American antagonism to the Allende government; news stories about racism in the U.S. became part of American attitudes toward the black rebellion. The reporters, editors, and publishers who were responsible for that "news" were not simply neutral observers of fact but active participants in the political process.

It is necessary to express outrage over the attacks on journalists all over the world; one should also learn from the crisis. If there is a lesson to be found in all this violence, it is that journalists play a political role whether they want to or not. No doubt many of those who were victims in 1977 and 1978 were well aware of the perils surrounding their lives. But many more journalists roam through the dangerous thickets of news and politics with little consciousness of the consequences of their work. ■

VIOLENCE AGAINST THE PRESS 1977-78

EDITED AND RESEARCHED BY BARBARA DEMICK

The journalists, publishers, and news organizations below have been targets of extra-legal political violence around the world since January 1, 1977. This means that they have been attacked by anti-government terrorists or, more usually, by governments acting outside their own laws.

Journalists who have been arrested, held without trial, banned, or legally punished in any other way are not included here—regardless of how repugnant such treatment may have been. Nor are journalists such as Maurice Williams and Gail Rubin, whose murders (by Hanafi Muslims in Washington and Palestinian terrorists in Israel) were not political acts directed at them personally.

This compilation should not be read as an index of repression. Although many of the countries found below are among the most oppressive in the world, there are many—equally unfree—where there is no independent press left to attack, or where all the laws necessary to do the task legally are in force.

Unhappily, this list is incomplete. Were this not so, we could at least mark the limits of the suffering it represents. The truth, however, is that there are many more journalists whose graves are too hidden, whose abductions were too stealthy, whose torture is too recent for word to have traveled the dangerous and circuitous routes of the underground political oppositions—for whose help we are grateful and to whom we dedicate this effort.



MURDER



ABDUCTION











TORTURE




























INJURY



































PROPERTY DAMAGE














	NAME	ORGANIZATION/ POSITION	NATURE OF VIOLENCE	DATE/PLACE	DESCRIPTION
ARGENTINA					
	Leonardo Bettanin	<i>Confirmado</i> and <i>El Descamisado</i> ; Reporter	Murdered	January 2, 1977 Rosario, Santa Fe province	He was a former national deputy. <i>El Descamisado</i> , banned in 1975, was a weekly newspaper of the Montoneros, a left-wing, revolutionary group.
	Cristina Bettanin	<i>Dinamis</i> , <i>El Diario</i>	Murdered with her brother Leonardo	January 2, 1977 Rosario, Santa Fe province	
	Dardo Cabo	<i>El Descamisado</i> ; Editor	Killed, allegedly escaping from prison	January 6, 1977 La Plata prison	Cabo had written for other left-wing papers before his arrest on April 18, 1975.
	Hugo Coulin Novillo	<i>Prensa Libre</i> ; Reporter	Murdered	January 18, 1977	He was found with multiple gunshot wounds in his partially burned home.
	Miguel Zavala Rodriguez	<i>El Autentico</i>	Murdered after his home was raided	January 1977 Buenos Aires	He was a former Peronist national deputy.
	Mabel Dominguez	<i>El Mundo</i>	Abducted and still missing	January 1977 Buenos Aires	The liberal publication was ordered closed in 1975.
	Aldo Comotto	<i>Respuesta Popular</i> ; Editor	Abducted and still missing	January 1977	
	Rodolfo Walsh	<i>Prensa Latina</i> , <i>La Opinion</i> , <i>Noticias</i> ; Editor and writer	Abducted from home and presumed murdered	March 25, 1977 San Vicente, near Buenos Aires	One of the most famous journalists in the country, he disappeared hours after releasing a letter denouncing the tyranny of the junta.

	NAME	ORGANIZATION/ POSITION	NATURE OF VIOLENCE	DATE/PLACE	DESCRIPTION
	Francisco Marin	<i>La Nacion</i> ; Reporter	Murdered	March 1977	The paper, founded in the 19th century, is part of the conservative, but not necessarily pro-junta press.
	Oscar Glotta and Mario Mactas	<i>Emmanuelle</i>	Abducted, released one week later	March 1977	The satirical magazine had been closed down shortly before by the government, to "safeguard the moral health of the public."
	Hector Ferreiros	TELAM (Argentine news agency)	Murdered following his arrest	Arrested April 1, 1977 Buenos Aires	A former Catholic priest, he was shot to death with his hands tied behind his back. The body was found five days after the arrest.
	Edgardo Sajon	<i>La Opinion</i> ; Technical director	Abducted and presumed dead	Abducted April 1, 1977 Buenos Aires	His abduction is believed connected with his work as press secretary to former President Alejandro Lanusse, considered a threat by the present government.
	Jacobo Timerman	<i>La Opinion</i> ; Founder, editor, and publisher	Tortured while imprisoned after midnight seizure	Arrested April 15, 1977 Buenos Aires	His Zionism or relations with <i>La Opinion</i> 's backer David Graiver — accused of dealings with Montoneros guerrillas — may have been the motive.
	Enrique Jara	<i>La Opinion</i> ; Managing Editor	Abducted	April 15, 1977 Buenos Aires	His whereabouts are unknown.
	Enrique Raab	<i>Clarín, La Opinion</i> ; Freelance writer	Abducted from his home and presumed murdered	April 16, 1977 Buenos Aires	The Argentine Anti-Communist Alliance had threatened his life in 1975, at which time his home was destroyed.
	Ignacio Palacios Videla	<i>Todo es Historia</i>	Abducted and still missing	May 3, 1977 Buenos Aires	At the time of his abduction from his home he was working for the historical magazine. He had also been active in the Christian Democratic party.
		<i>La Capital</i>	Offices bombed	May 7, 1977 Rosario, Santa Fe province	The bomb planted at a branch of the Mendoza-based daily resulted in injuries to police officers.
	Lila Pastoriza de Jozami	<i>Noticias</i> ; Former editor	Abducted and still missing	June 16, 1977 Buenos Aires	She had been trying to secure the safety of political prisoners, among whom was her husband Eduardo, former secretary of the National Association of Journalists.
	Ignacio Ikonikoff	<i>Cienca Nueva</i> ; Executive and writer	Abducted and still missing	June 25, 1977 Buenos Aires	He was a prominent science writer.
	Maria Bedoya Ikonikoff	<i>Dinamis</i> ; Editor	Abducted and still missing	June 25, 1977 Buenos Aires	In addition to editing this union magazine, she was a member of the Argentine human rights commission. She was abducted along with her husband.
	Juan Carlos Hica	<i>Akuko Nippo</i> ; Editor	Abducted and still missing	June 25, 1977	The periodical is published for the Japanese-Argentine community.
	Rafael Perrota	<i>El Cronista Commercial</i> ; Owner	Abducted and probably murdered with his son	June 1977 Buenos Aires	A \$300,000 ransom was demanded of the family of this father and son. A lesser amount was paid, but they were never released.
	Hugo Goldsman	<i>Noticias and El Descamisado</i> ; Reporter	Murdered	June 1977	
	Juan Ramon Nazar	Editor	Abducted and still missing	July 1977 Trenque Lauquen	The Argentine Press Association protested the disappearance of this provincial editor.
	Oscar Serrat	Associated Press; Day editor	Abducted on the way to work by men in civilian clothing	November 10, 1977 Buenos Aires	After having been hooded and chained for 18 hours, he was released after the AP and the United States pressured the Argentine government to locate him.
	Luis Guagnini	<i>Latin American Political Report</i> (London); Correspondent	Abducted with his wife; still missing	December 21, 1977 Buenos Aires	His pieces in the <i>Report</i> had been critical of the government. He also wrote for <i>El Pais</i> (Madrid).
	Susana Lugones	<i>Siete Dias, Crisis, Noticias, La Opinion</i> ; Reporter	Abducted from her home and still missing	December 24, 1977 Buenos Aires	

	NAME	ORGANIZATION/ POSITION	NATURE OF VIOLENCE	DATE/PLACE	DESCRIPTION
BOLIVIA					
	Antonio Peredo	Radio El Condor; Commentator	Tortured	Arrested November 17, 1975 Cochabamba	He was held incommunicado in La Paz prison and severely tortured throughout his imprisonment. He was released February 13, 1978.
BRAZIL					
	Milton Soares	Folha de Sao Paulo; Reporter	Severely beaten in police custody	March 2, 1978 Guarulhos, near Sao Paulo	He was arrested leaving a police station where he had been investigating reports of police brutality.
CENTRAL AFRICAN EMPIRE					
	Michael Goldsmith	Associated Press; Reporter	Beaten by Emperor Bokassa I following arrest	July 14, 1977 Berengo, outside Bangui	Accused of being a South African agent, he was held for a month in Bangui's Central Prison punishment cell.
CHILE					
	Jaime Martinez	Que Pasa Reporter	Injured during attempted kidnapping	July 1977 Santiago	Martinez was researching the government's successful efforts to force a 16-year-old boy to testify against his father. Que Pasa is government-controlled.
	Hernan Perez	Freelance photojournalist	Shot during arrest and disappeared	October 19, 1977 Santiago	He was attacked by DINA, the security police.
	Alejandro Rojas Figueroa	Reporter	Arrested, tortured, and disappeared	November 21, 1977	
	Claudio Salas	Radio Chilena; Reporter	Beaten while in DINA custody	November 21, 1977	He was arrested, beaten severely, interrogated, and released with serious injuries.
	Hernando Augusto Carmona	Punto Final; Reporter	Killed while allegedly resisting arrest	December 7, 1977 Santiago	Punto Final, now suppressed, was the newspaper of the MIR (Movement of the Revolutionary Left). Four other MIR members were arrested at the time of this killing.
	Horacio Marotta Rossman	Punto Final; Reporter	Arrested, tortured, and disappeared	December 9, 1977 Vina del Mar	
CYPRUS					
	Youssef el-Sebai	Al Ahram (Cairo); Editor and board chairman	Assassinated by pro-Palestinian terrorists	February 18, 1978 Nicosia	He had accompanied President Sadat to Jerusalem. Hostages were taken after his killing; an Egyptian commando raid resulted in 15 deaths and broken diplomatic ties.
EGYPT					
	David Holden	London Sunday Times; Chief foreign correspondent	Abducted and murdered; body found on a roadside	December 6, 1977 Cairo	Holden had been reporting on anti-Sadat sentiment in the Middle East. No suspects, but Egyptian authorities believe an intelligence organization was involved.
FRANCE					
		Rouge	Bomb caused widespread damage to the paper's offices	June 8, 1977 Montreuil	The paper is a Trotskyist daily. The powerful bomb failed to detonate completely.
		France-URSS	A bomb destroyed the offices	June 17, 1977 Paris	The Solidarist Resistance Movement said it had bombed the magazine in protest against Leonid Brezhnev's impending visit to France.
GREECE					
	Nikos Kakaounakis	Vima; Reporter	Beaten up, given a concussion, thrown into quicklime pit	January 28, 1977 Athens	He was noted for his critical reports on right-wing activities and was apparently the victim of pro-junta remnants. Journalists went on a 24-hour protest strike.
		Avgi	Bombing destroyed all of the paper's archives and manuscripts	September 1977 Athens	The daily is published by the Communist Party and the attack is believed to have been the work of right-wing elements.
		Anti	Offices were bombed	March 7, 1978 Athens	No injuries were reported in this attack on the leftist bi-weekly.

NAME	ORGANIZATION/ POSITION	NATURE OF VIOLENCE	DATE/PLACE	DESCRIPTION	
GUATEMALA					
	Jorge Palmieri	El Grafico	Home bombed	June 11, 1977 Guatemala City	Jorge Palmieri's house had also been shot at during the night of June 2.
	Arturo Soto Gomez	"Acqui el Mundo" television news; News director	Attempted kidnapping	November 1977	The attack was condemned by the Guatemalan Journalists Union.
HAITI					
	Luc R. Nerec	Jeune Presse; Founder and editor	Severely beaten; underwent brain surgery	December 13, 1977 Port au Prince	He had been writing about Duvalier's secret police in his new weekly. The editor of another paper who wrote about the case received death threats.
IRAN					
	Homa Nateq and Nemat Mirzazadeh	Negin and Alephba; Writers	Both were attacked and Nateq was sexually assaulted	November 21, 1977 Teheran	Negin and Alephba are political magazines. The assaults were part of a crackdown following the Shah's meeting with President Carter six days earlier.
	Asghar Allahyari and Jalal Sarsaraz	Kayhan; Writers	Beaten	November 21, 1977 Teheran	They were among many casualties of armed gangs that attacked a demonstration, killing 16. During this week in Teheran alone, between 5,000 and 7,000 were arrested.
	Manouchehr Hezarkhani	Jahane No (now suppressed); Writer	Beaten by an armed gang	December 8, 1977 Teheran	Attacked after speaking at the College of Administration by a group presumed to have been organized by SAVAK agents (Iranian secret police).
ITALY					
	Vittorio Bruno	Il Secolo XIX; Deputy Editor	Shot seven times in the arms and legs	June 1, 1977 Genoa	A young man was waiting with a pistol as Bruno left the printing plant of the politically conservative paper, the largest in Genoa.
	Indro Montanelli	Il Giornale Nuovo; Founder, editor, columnist	Shot in legs and hip by two men	June 2, 1977 Milan	A caller to the conservative newspaper said the Red Brigades had attacked as an answer to "the men and weapons of psychological warfare" used against them.
	Emilio Rossi	Radiotelevisione Italiana, Network One; News editor	Both legs broken by bullets when shot 18 times	June 3, 1977 Rome	An apparent Red Brigade attack on a prominent Christian Democratic newsman who worked for the state-funded television network.
		La Nazione	Bombs destroyed the cars of two city reporters	June 1977 Florence	The paper is a conservative daily.
	Antonio Garzotto	Il Gazzettino; Crime and court reporter	Shot in the legs five times	July 7, 1977 Abano Terme, near Rome	A "communist fighting front" claimed credit, noting, "The impunity with which this gentleman and his bosses vomited bad information had to cease."
		La Stampa	Bombing demolished offices, injured seven	September 18, 1977 Turin	Responsibility was claimed by the Revolutionary Action Group, loosely related to the Red Brigades. The centrist daily is the second largest in Italy.
	Leone Nino Ferrero	L'Unita; Turin bureau chief	Shot in the legs five times	September 19, 1977 Turin	Ferrero had written pieces for the Communist Party paper on the Red Brigades. The Revolutionary Action Group said he was one of the "lackey press."
	Carlo Casalegno	La Stampa; Deputy editor-in-chief and columnist	Died after being shot three times in the head	November 16, 1977 Turin	The paper is owned by the Agnelli family, which also owns Fiat; the Red Brigades said it had "executed the servant of the state."
		Il Messaggero	Group of pro-fascist youths firebombed the offices	December 30, 1977 Rome	The paper, Rome's biggest, is progressive social-democratic.
		Il Gazzettino	Night watchman killed in bombing of the paper's offices	February 21, 1978 Venice	A caller claimed that the right-wing Ordine Nero was responsible for the attack on the conservative paper. 40,000 people attended a memorial service for the guard.
		Il Corriere della Sera	Bombing of administrative offices	February 22, 1978 Milan	The centrist paper is the largest in Italy. Apparently the work of the Red Brigades, the bombing caused only minor damage.

	NAME	ORGANIZATION/ POSITION	NATURE OF VIOLENCE	DATE/PLACE	DESCRIPTION
LEBANON					
	Paul Deliser	Agence France Presse; Bureau chief	Abducted by the Syrian army	August 7, 1977 Beirut	He was interrogated for six days and released.
		<i>Al Anwar</i>	Bomb injured five, damaged offices	September 2, 1977 Christian suburb of Beirut	The paper strongly supported President Sarkis's govern- ment and Syrian intervention in the civil war.
	Ahmed Zein, Tarek Mahdi, Esper Melham	<i>Al Kifah Al Arabi</i> ; Two reporters and a photographer	Abducted and being held hostage	September 30, 1977	Christian falangist militiamen are holding them to ex- change for four rightists missing since a March 1977 Palestinian assault.
MEXICO					
	Robert Falcon	<i>El Norte</i> ; Reporter	Shot and killed by a military patrol	August 1, 1977 Culiacan	His work on stories about narcotics traffic and govern- ment corruption in the state of Sinaloa had brought death threats.
	Jose Guadaloupe Mendivil	<i>El Diario de Culiacan</i> ; Reporter	Murdered	Body found August 20, 1977 Culiacan	Like Falcon, he had been working on drug-traffic stories for his provincial daily.
	Robert Martinez Montenegro	<i>El Norte</i> ; Reporter	Shot; died two days later	February 13, 1978 Culiacan	The most prominent of those writing drug and political exposes. 150 Sinaloa journalists struck the day of his death, protesting "the climate of insecurity."
NICARAGUA					
	Pedro Joaquin Chamorro Cardenal	<i>La Prensa</i> ; Editor and publisher	Shot and killed by three assassins	January 10, 1978 Managua	Chamorro was a critic of Somoza's dictatorship. Five men were arrested and implicated a Cuban-American businessman. A general strike followed.
PAKISTAN					
	Mahmoud Sham	<i>May'ar</i> ; Editor	Beaten by an armed gang	February 1978 Karachi	He was singled out for his open opposition to the mili- tary regime by student members of the Jamaat-e-Islami, an ultra right-wing group.
PARAGUAY					
	Eduardo Bogado Talgaman	<i>Criterio</i> and <i>Frente</i> ; Writer	Tortured during imprisonment at Emboscara prison	Arrested August 1977 Asuncion	Criticism of a Paraguayan-Brazilian hydroelectric proj- ect in <i>Criterio</i> , a cultural magazine, is believed to have angered the Stroessner regime. He is still imprisoned.
PHILIPPINES					
	Satur Ocampo	<i>Manila Times</i> ; Business editor	Tortured during imprisonment	Arrested January 14, 1976 Manila	He is a former vice president of the national press club.
	Abraham Sarmiento	<i>The Collegian</i> ; Editor	Died of a "heart attack" upon release from prison	November 11, 1977 Manila	An autopsy showed that the 27-year-old student editor's death was related to his treatment during seven months of detention.
PUERTO RICO					
		<i>Replica</i>	Offices bombed	August 5, 1977 San Juan	The weekly is a publication of anti-Castro Cuban emigres.
SOUTH AFRICA					
	Nat Serache	<i>Rand Daily Mail</i> and BBC; Reporter and stringer	Tortured during detention	Arrested October 1976	He was arrested after reporting that police instructed Zulu workers to beat up Soweto residents. Upon his re- lease in 1977, he fled to Botswana.
	Moffat Zungu	<i>The World</i> ; Chief photographer	Tortured in prison	Arrested May 1977 Soweto	Accused under the Terrorism Act of membership in the Pan Africanist Congress, a black liberation movement, he was tortured by electric shock.
	Mary, 5-year-old daughter of Donald Woods	He was the editor of the East London <i>Daily Dispatch</i>	Burned by an acid-impregnated T-shirt	November 24, 1977 East London	The shirt was sent through the mail. The incident con- tributed to Woods's decision to violate a banning decree and leave the country.

NAME	ORGANIZATION/ POSITION	NATURE OF VIOLENCE	DATE/PLACE	DESCRIPTION
SPAIN				
	<i>El Diario 16</i>	Two bombs damaged printing equipment, shattered windows	June 26, 1977 Madrid	No group has claimed responsibility for the attack on this new, progressive daily.
	<i>El Papus</i>	Doorman and switch-board operator killed in bombing of offices	September 20, 1977 Barcelona	The Apostolic Anti-Communist Alliance claimed credit for the attack on the satirical weekly. The next day a general strike shut down the city's press in protest.
	Paulino Martin Garcia	Marca; Reporter	Shot and killed November 1977 Madrid	Marca is an all-sports newspaper. No further details about this shooting are available.
THAILAND				
	Iam Sangkaku	Reporter	Found decapitated September 1977 Nakhorn-Sri-Thammarat	He disappeared after his arrest in January 1977.
	Chukiert Poonchei	Choo Nakorn Panom; Editor	Shot and killed with his one-year-old son December 28, 1977 Nakorn Panom	He had been publishing stories on government corruption in his daily paper. His wife and other children witnessed the killing.
UGANDA				
	John Serwaniku	Munno; Editor	Murdered in police custody 1977	Munno is a Catholic newspaper, two of whose former editors—Father Clement Kiggundu and Samuel Mwebe—were killed several years ago.
UNITED STATES				
	Cheng Hsin-Yuan	China Tribune; Reporter	Beaten unconscious by four youths January 29, 1978 New York City.	He had written about alleged vote-buying schemes involving the Chinatown Benevolent Association for his right-wing, Chinese-language paper.
	Larry Flynt	Hustler; Owner	Shot in the stomach and seriously wounded March 6, 1978 Lawrenceville, Ga.	He and a lawyer were wounded during a recess in his obscenity trial. Flynt has recently been investigating the assassination of President John F. Kennedy.
URUGUAY				
	Enrique Larreta	El Cronista Commercial; Reporter	Abducted, imprisoned, and tortured Abducted 1976 in Argentina; held in Uruguay	His father, Enrique Laretta, a writer for <i>El Pais</i> , was arrested in 1976 and tortured during interrogation about his son's political activities.
	Hiber Contreris	Marcha; Reporter	Tortured; still in prison Arrested December 2, 1976 Montevideo	He was arrested upon returning from a Christian peace conference in Czechoslovakia. Among other reported tortures, he was hung by his wrists for ten days.
	Flavio Tavares Freitas	Excelsior (Mexico City); Correspondent	Arrested, tortured looking for imprisoned colleague July 17, 1977 Montevideo	Tavares, an exiled Brazilian who wrote <i>Torture in Brazil</i> , was looking for Excelsior correspondent Graziano Pascale.
	Julio Castro	Marcha; Assistant editor	Abducted and still missing August 1, 1977 Montevideo	The government claims that this prominent educator and author boarded a plane for Argentina. Argentine authorities deny that he ever arrived.
ZAMBIA				
	<i>Times of Zambia</i>	Offices bombed	January 13, 1978 Lusaka	The paper may have been attacked by a Rhodesian force retaliating against Zambia's harboring of ZAPU guerrillas.

Additional research by Brian Beker, Rachel Burd, Imbi Leetma, and John Keller.

The information comes from a wide variety of individuals and organizations, including many foreign nationals and journalists resident in the U.S. who have requested anonymity. The following organizations have been the most helpful: American Office of Index on Censorship; Council for Hemispheric Affairs; Amnesty International; Argentina Information Service Center; Chile Democratico; Foreign Correspondents Center; French Cultural Information Services; PEN; Washington

Office on Latin America; Middle East Research and Information Project; U.S. Commerce Department, Working Group on Terrorism; Iranian Students Association; National Council of Churches; American Friends Service Committee; American Committee on Africa; The Christian Science Monitor; Rand Corporation; Union of Democratic Thais; Haiti Observateur; Southeast Asia Resource Center; Friends of the Philippine People; International League for Human Rights; Internews, Africa News; Clergy and Laity Concerned; and the U.S. State Department.

ASSASSINATION IN NICOSIA

Editor Became Terrorists' Target After Trip To Israel With Sadat

Can journalists avoid being politicians?

BY CHRISTOPHER
HITCHENS

Eric Ambler remarks in *A Coffin for Dimitrios* that when it comes to an assassination the important thing is not who fired the shot but who paid for the bullet. It is an oddly unsatisfying observation, suggesting that there is more to murder than meets the eye, but giving no methodological clue. Even so, the slaying of Youssef el-Sebai, editor of the leading Cairo daily, *Al Ahram*, provided evidence for more than the risky nature of political journalism in the Middle East. It both illustrated and altered the outlines of diplomacy in the area.

First things first. Sebai was a journalist and an editor. He was also a politician and something of a cultural commissar for the Sadat government. Under his sway, *Al Ahram* had moved away from the waspish and critical tone set by Mohammed Heykal in the Nasser epoch and evolved into a more bland and emollient publication.

Sebai had his enemies among Egyptian literati. But it was in his capacity as a friend of Sadat, as well as a journalist, that he made the eventful journey to Jerusalem with the

Christopher Hitchens is a correspondent for The New Statesman in London. He was in Nicosia, Cyprus, in early March to cover the pre-trial hearings of the two men accused of the assassination of Youssef el-Sebai.

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The accused assassins of Youssef el-Sebai being taken into Nicosia District Court.

Egyptian president in November. This, rather than anything else, put him on the automatic death list of the Palestinian ultras.

It was again in his capacity as a friend of Sadat that Sebai traveled to Nicosia, Cyprus, in mid-February to attend a conference of the Afro-Asian Peoples Solidarity Organization.

A few days before the conference was to begin, Sebai contacted Vassos Lyssarides, head of the Cyprus Socialist Party and former personal physician to Archbishop Makarios. Sebai was worried that the predominantly leftist conference delegates might issue a statement personally

critical of Sadat, which would put him (Sebai) in an embarrassing position. Lyssarides, as host to the conference, assured him that no names would be featured in any draft. A relieved Sebai thereupon agreed to deliver the opening statement. I have obtained a copy of his speech.

After an affirmation of the sole right of the PLO to represent the Palestinian people, and a general condemnation of Israeli policy in the occupied territories, Sebai listed his "sixth principle": "Rejecting any separate settlement with Israel or any bargain on the sovereignty of Arab states over their territories within their historic and

recognized borders." The remainder of the speech was fairly standard anti-imperialist rhetoric, but the passage above is at least an implied criticism of the Sadat policy. This, judging from what is known about the assassins, would not have carried much weight, even if they had known about it.

There had been three members of the hit team, but one of them left town the day before the shooting. Zaid al-Ali, a Kuwaiti citizen, and Samir Mohammed Kadar, a Jordanian, spent the previous night laying wads of money on nightclub hostesses, thus ironically confirming the usual *Al Ahram* portrait of the terrorist

lifestyle as consisting mainly of dissipation in the bars of Beirut. These two turned out to be extremely low-rent revolutionaries. Lyssarides was one of those taken hostage after Sebai was gunned down in the lobby of the Nicosia Hilton Hotel. He told me that he expostulated at one point, "Do you know that African friends of Palestine are in this conference? Men from Samora Machel and Agostinho Neto?" The two killers had never heard the names. A Palestinian hostage exclaimed that he was a veteran of the struggle, was even a relative of Ben Barka. That name, too, was new to the young Clockwork Orange artists, one of whose sweating hands held a grenade with the pin out and the lever secured with cellophane tape.

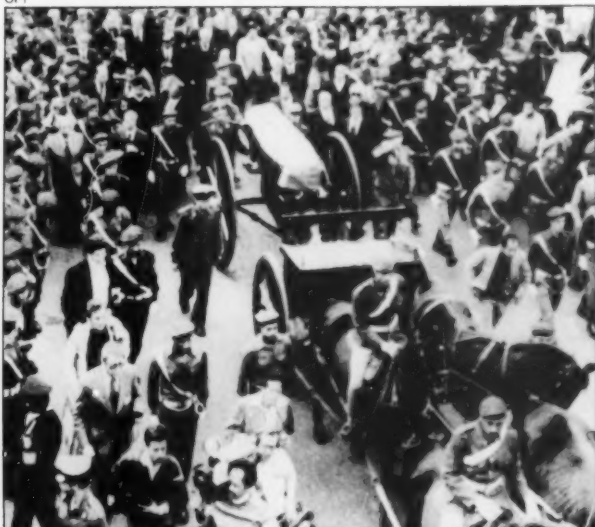
That Sebai was more than just an ordinary journalist is evidenced by what followed the assassination. That evening—Saturday, February 18—a Cyprus Airways jet lifted off from Larnaca airport outside Nicosia with a full volunteer crew and 12 Arab hostages, including four Egyptians and three Palestinians. The plane was refused permission to land in Libya and Aden, the two commonest havens for the "rejection front," and only landed in Djibouti under emergency conditions. The hijackers then decided to head back to Larnaca, although as they flew over Syrian airspace the Damascus authorities suddenly announced that they would accept the plane. This offer was furiously—and interestingly—repudiated by the terrorists.

On Sunday evening, the aircraft landed at Larnaca, where the President of Cyprus, Spyros Kyprianou, was in charge. He explained that this was a personal courtesy to Sadat in recompense for the loss of his friend, Sebai, on Cypriot soil.

By Sunday evening, an Egyptian plane was on its way to Cyprus, ostensibly carrying

the Minister of Information. In fact, the plane carried a fully equipped commando force, which was warned not to disembark and thereby endanger itself by violating Cyprus jurisdiction. This warning was ignored, resulting in a shoot-out between the Egyptian commandos and the Cypriot National Guard in which 15 Egyptians died. The British pilot of the hijacked plane later offered his opinion that if they had not been stopped, the Egyptians would have blown up his craft, passengers

UPI



The slain Egyptian editor's funeral became an occasion for national mourning and anti-Palestinian outrage.

and all.

As the London Times subsequently commented, if you wish to make a daring anti-terrorist raid, you must either consult nobody in the country concerned (Entebbe) or everybody (the Germans in Somalia). The Egyptians got the worst of both worlds, and the gunmen surrendered anyway.

Shock waves continue to spread out from the murder. Ambassadors have been withdrawn from both Cyprus and Egypt, at Sadat's initiative. Sadat has—unprecedentedly—also withdrawn his recognition of Kyprianou as President of the Republic of Cyprus. For a moment, it almost

looked as if Sadat would go so far as to recognize the rival Turkish Cypriot "Federated State," established by bayonets in 1974 and still annexing 40 percent of the island.

Perhaps more significantly, Sadat has made use of the occasion to crack down on Palestinians in Egypt. Just before the Egyptians arrived at Larnaca airport, a planeload of Yasir Arafat's men dispatched from Beirut had landed. They came with the blessing of the Cyprus government, which hoped that they

submachine guns. Reports that the PLO had joined the Cypriot Guard in firing on the Egyptians enraged President Sadat into personal attacks on Arafat (the first occasion on which this has happened) and the Palestinians in general. Within five days of the incident, he had withdrawn citizenship privileges from the tens of thousands of Palestinians living in Egypt. Sebai's funeral became the occasion for a diatribe against all those who obstructed the new diplomacy; this, only one year after I heard Sadat tell the PLO assembly that theirs was "the most just cause in the contemporary history of man."

The Egyptian press, which has been turning out a rather cheap line of anti-Semitism these days (ironic, this, for those who defend Sadat as a conciliator), turned to vilifying Cypriots and Palestinians. It probably wouldn't have happened if another Egyptian had been murdered instead of Sebai. As it is, the already attenuated free press in Cairo has suffered a loss, even if the radicals will not mourn Sebai's departure.

Sebai's death raises the question of how, in the context of the Middle East, a journalist can avoid becoming a politician. Since the virtual death of the open press in Lebanon during the civil war, most editors in the region are forced to keep on friendly terms with the heads of state. It would, of course, be desirable in many ways if governments always took such a lively interest in the well-being of their citizens, correspondents or not. But the Sebai case shows the danger of journalists associating too closely with the fortunes of their national governments. We may never know who paid for the particular fusillade that killed Sebai, but whoever it was cannot have expected that assassinating a journalist would give such a twist to the complicated instability of the Middle East. ■

could negotiate with the terrorists. Arafat was probably anxious to send his men anyhow, since the suspicion is that the murderers of Sebai are from the same gang that shot down the PLO representative in London in January. In this case, too, they were angry at the destruction of a conference sympathetic to themselves and, arguably, even more put out at the murder of one of the few men in the Sadat entourage who would speak up for their cause.

The Cyprus government denies that the PLO contingent took any part in the fighting, but there are photographs of them carrying Kalashnikov

A FOOL FOR A CLIENT

Author Shuns Counsel, Defeats Publisher In Court Battle Over Rejected Manuscript

Why did Random House fight five years to recoup \$11,250?

BY A.E. HOTCHNER

Lawyers are fond of a threadbare adage that goes: a lawyer (or anyone else) who represents himself has a fool for a client. I have just flown in the teeth of this grim caveat, but before I put on goat's horns for having rushed into a courtroom where legal angels fear to tread, I wish to offer up a maxim of my own: he who would pay a lawyer a higher fee to represent him than the total amount at issue, is indeed a fool of a client.

The background is this: five years ago, Random House, which had midwived me into the publishing world, decided they did not want to publish a new manuscript of mine called *King of the Hill*. It was my fourth book for Random House. I had originally been recruited by Bennett Cerf who became, over the years, my friend as well as my publisher. Of course, that was in the halcyon years when Bennett was his own boss and RCA only peddled radios and television sets, not books. My first Random House book was a modest adventure novel; my second book was *Papa Hemingway*, an enduring best-seller in the U.S. and around the world; my third book was *Treasure*, an adventure novel that did reasonably well and had a hearty paperback sale; now my fourth book was to be an autobiographical account of a summer in my life during the depression in St. Louis. Bennett died shortly after the *King of the Hill* contract was signed; it was a loss I felt very keenly. Even though I had the same editor as I had had on *Papa Hemingway* and *Treasure*, I was nevertheless apprehensive about the Random House changes that Bennett's death would provoke.

I turned *King of the Hill* in a month before the due date. First reaction: everything okay. Later reaction: the editor didn't feel that the book worked in the first-person voice of the 12-year-old boy narrator and preferred that I write a new manuscript from the point of view of an adult. I refused, on the ground that this was not an editor's suggestion for reasonable revisions, but a demand for an entirely different book, to be written not in accord with my own artistic judgment but with theirs. We were at an impasse. Random House said that under the circumstances they felt they must reject the manuscript and return it to me.

To this point, all well and good. In my judgment, a publisher has no obligation to publish a manuscript he doesn't wish to publish, and nothing in our contract could be construed to oblige him to do so. But Random House went a step further: coincident with the return of the manuscript, they made a written demand that I return that portion of the advance I had received on signing the contract. They had given me \$11,250

on signing, and by contract I was to receive another \$11,250 on submission of the completed manuscript.

It was Random House's contention that their contract obligated me to return the initial \$11,250, and exempted them from paying the second \$11,250. The basis for their contention was a time-honored phrase that has appeared in virtually all publishers' contracts to the effect that the manuscript must be "in form and content satisfactory to the publisher." The contract did not specifically state what would happen in the event the publisher deemed the manuscript unsatisfactory. But immediately following the "form and content" clause, there was a provision that if the manuscript had not been delivered by the date prescribed in the contract, then the publisher could require the author to return that portion of the advance previously paid. That was the only specific provision for the return of the advance.

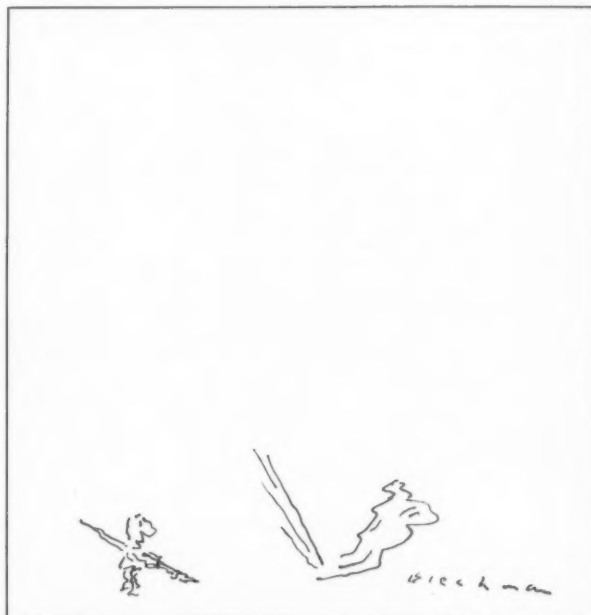
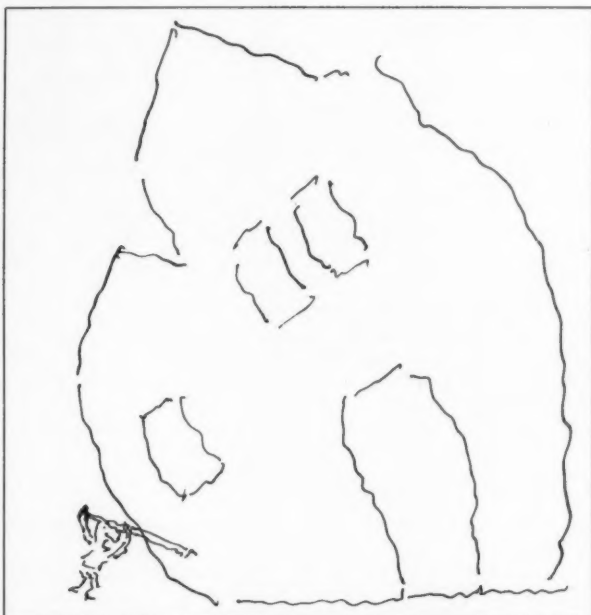
Through my agent, I informed Random House that I would not return the \$11,250, for in my opinion that money was their risk in the venture. My risk was the two years I had spent on the book. I pointed out that if Random House's interpretation prevailed, it would mean that regardless of his contract, a writer would be writing on pure speculation; that after several years of living on the advance, paying taxes on it, and so forth, he would have to dredge up the initial lump sum on the whim of the publisher, a sum of money which very likely he no longer had nor could borrow.

Immediately, a lawyer for Random House, a member of the venerable firm of Weil, Gotshal, and Manges, called my lawyer and threatened suit. "Tell Hotchner," this venerable member of that venerable firm said, "that we are going to haul him into court and it will cost him much more in legal fees to defend himself than the \$11,250 involved. So he better pay up." My lawyer advised me to settle.

I was outraged, for to my mind this was a kind of blackmail—writer being bludgeoned by rich and powerful publisher, bankrolled by even richer and more powerful communications giant. It was then that I announced that, contrary to my better judgment, I intended to be my own lawyer. (Way back in my dimming past, circa World War II, I had graduated law school and practiced for a year, but that little knowledge and experience had been long forgotten.) Everyone I knew, especially lawyer friends, shook heads and clucked tongues. I suppose in the back of my mind I never thought that Random House would actually go to trial because the manuscript they rejected was immediately published by Harper & Row to widespread favorable reviews. My total advance from Harper & Row was \$10,000, so actually I received \$1,250 less than if Random House had lived up to its contract.

A.E. Hotchner is the author of *Papa Hemingway* and *King of the Hill*. He currently resides in Paris.

Illustration by R.O. Blechman



A Case By The Tail

Civil cases in New York move very slowly. For four years, various motions and interrogatories were filed. I found that I rather enjoyed reaching way back to my pleading days to answer various documents. I even initiated a number of motions and interrogatories of my own. One entire day was consumed with my deposition, taken in the venerable Weil, Gotshal, and Manges conference room, in the presence of a court reporter and a trio of WG&M attorneys, one of them a senior member of the firm (the going rate for *senior* members at depositions

must have been \$200 an hour). At that time, I estimated the cost of all this, and it seemed to me that Random House's legal fees had already exceeded the \$11,250 they were seeking as judgment. Of course, I had filed a counterclaim for the other half of the advance that Random House had never paid.

Finally, in January 1977, the case was put on the trial docket before Judge Martin Evans of the New York State Supreme Court. In New York, where phraseology is often perverse, the Supreme Court is the lowest of the state courts. The case was to be tried without a jury. In the four years that had passed since this action had been filed, some significant changes had occurred at Random House. Both Nan Talese, the editor who

had rejected *King of the Hill*, and James Silberman, the chief editor who had demanded return of the advance, had left the company.

By way of preparation, I had discussed the law involved in my case with Irwin Karp, the general counsel for the Authors League, of which I am a member. Karp felt that this was a case of prime importance to all authors and generously offered to appear on behalf of the League as an *amicus curiae*—which meant that he wouldn't participate in the trial but that he would file a legal brief on my behalf.

I read the opinions in virtually all publication litigation related to my situation, and to my astonishment discovered (Karp confirmed this) that I had a case of first instance by the tail. By that I mean this: jurisprudence, as we practice it, is based on precedent. The better you can identify the facts of your case with one that has gone before, the better you can rely on the verdict in that previous litigation—provided, of course, it was in your favor. But if you find yourself in a situation that cannot be fully fitted into the contours of a previous case, if no set of facts substantially like yours has ever been decided before, then you have a case of first impression, a case which will make new law. I remembered enough from my law school days to recall that judges love such cases because their opinions bear unique weight and are often added to the holy script in law school textbooks.

Of course, there had been previous litigation that had involved squabbles between publishers and authors over advances. But in no reported case had there been a situation where a manuscript was turned in by an established, professional writer that conformed to what was expected in theme and substance, but which was rejected on the ground that the publisher wanted it entirely rewritten in a totally different way, de-

BAD BLOOD

Why would a giant book publisher like Random House, part of multi-billion-dollar conglomerate RCA, sue an author for \$11,250? In the case of A.E. Hotchner, one reason appears to be that personal animosity held sway over common sense. As one participant in the proceedings put it: "The whole business had no place in a court of law. It was simply bad blood."

At the time Random House filed the *King of the Hill* suit in 1973, President Robert Bernstein and Editor-in-Chief James Silberman were still smarting over Hotchner's refusal to pay legal expenses from a previous suit. That one was brought by Mary Hemingway, who charged that Hotchner's 1966 best-seller about her husband, *Papa Hemingway*, constituted, among other things, invasion of privacy and breach of confidence. She won the first round, but lost on appeal in 1968. When Random House set about trying to recover its legal costs, Hotchner maintained that Bennett Cerf, who died in 1971, had promised him the company would take care of it. "There was a really nasty fight over that bill," recalls one insider.

Bernstein refused to discuss either Hotchner suit, and Silberman, who has since set up Summit Books after a dispute of his own with Random House, pleaded a total failure of memory.

Because both parties ultimately agreed to settle, the *King of the Hill* case set no formal legal precedent. But by taking his case to trial against seemingly impossible odds, and winning, Hotchner staked out ground for encouraging other writers in similar fixers.

—Richard Pollak

manding return of the advance if it were not. The issue in *Random House v. Hotchner* (Index No. 12646/73) was clearly joined. It was virgin territory. As lawyers say, although I have no idea why, there was no previous case on all fours with it.

The case came up for the first time before Judge Evans in January 1977, but was put over until October. I left for Europe in February to work on a new book. By September, I was still at work in Paris, and I asked WG&M to postpone the trial until I returned in 1978. They refused on the ground that their client was ready for trial and it would be very expensive to have the trial later on. The logic of their position escaped me, since the cost of a trial is the cost of a trial whenever it occurs, but their refusal forced me to stop work and

return from Paris.

In the plane coming back, I was tormented with bleak ruminations about the foolhardiness of taking on the Weil, Gotshal, Manges-Random House-RCA Goliath. I saw myself in the courtroom as David without a slingshot. During my one year in legal service, I had never tried a case or been involved in a courtroom proceeding; the closest I ever came to a trial was in moot court in my second year of law school, and all I got out of that was a hung jury. I knew very well that the rules of evidence are strict, confining, frustrating, old-fashioned, and unpredictable. It is one thing to have a valuable fact or exhibit in your possession; it is quite another to get it admitted into evidence. WG&M was a firm that specialized in publication law; they represented Scribner's as

well as Random House. They knew everything there was to know in the law books that related to publishers and writers. The closer I got to New York, the bigger the specter of this trial filled the 707. I may well have been the first passenger at 36,000 feet to suffer from courtroom fright.

No Compromise

WG&M were very sure of themselves. At our preliminary hearing before Judge Evans in January, in an effort to avoid the trial, I had proposed what I thought was a fair compromise: I would pay to Random House 50 cents out of every dollar I received in royalties from Harper & Row, and I would also drop my counterclaim. The WG&M attorney, Robert Weiner, dismissed the offer with a deprecating flick of his left wrist. "We expect full recovery," he told the judge.

Back in January, I had also gone to see Horace Manges himself. Ironically, in 1966, Mr. Manges had appeared on my behalf, as well as Random House's, in our successful defense of a court action commenced by Mary Hemingway to try to suppress my memoir about Ernest. Since he was a former comrade-in-arms, I thought I might be on friendly grounds when I asked Manges if there were some way we could settle the *King of the Hill* affair. "Yes," he said, "you can pay us eleven thousand dollars."

"But that's not a compromise," I said.

His eyes behind his glasses were grey stones. "You've had the use of the money for all this time," he said. "We won't charge you interest."

Mr. Manges is an old man. He has spent his life in the publishing world. I had expected wisdom.

I had a hell of a time getting any witnesses. Just as doctors are reticent to testify against each other, so too are editors and publishers and agents (my own agent, Phyllis Jackson,

whose testimony was quite vital to my case, had died several months before the trial started). I wanted to establish custom and usage in the industry in relation to rejected manuscripts, but if experienced people in the industry wouldn't testify, how could I do that? You cannot subpoena expert witnesses. I got turned down by most of the editors I knew, with the exception of Howard Cady, a senior editor at Morrow. I had hoped that Frances Lindley of Harper & Row, who had been my editor on the book, would testify, but she said she had important editorial conferences scheduled with a writer from Bulgaria and doubted she could make it.

That's all I had, other than myself, although how I was going to interrogate myself when I took the stand worried me. I asked several writers I knew if they would testify, but they all recoiled at my suggestion. One writer, himself battling Random House over another issue and knowing what I wanted, wouldn't even return my phone call.

With a defense like that, I didn't need Don Shula to tell me that I needed a hell of an offense. So I spent an entire week preparing for the cross-examination of the two witnesses Random House planned to call. By far the most important of these two was Nan Talese, who had been editor on the book and who had signed the letter of rejection demanding return of the advance. My cross-examination of her would be complicated by the fact that she and her husband, Gay, were good and close friends of mine. On the witness stand, however, we would be combatants—friendly, non-vituperative combatants, I hoped. But in the unpredictable swirls and downdrafts of the courtroom, things do not always turn out as expected.

The day before the trial, I discussed my overall strategy with my friend, Mervin Rosenman, who is an attorney.

He thought I was on the right track and was enthusiastically supportive.

But I got a contrary reaction from a woman attorney I talked to who is an expert in the field of literary law. "You are doing a foolhardy thing," she said. "You have an important case here and by going into the arena with Weil, Gotshal, and Manges, well, you're an amateur Christian against the lions. They will have a field day twisting you all around and destroying your position simply because you won't be able to fend for yourself. The old saying about lawyers who represent themselves is true. You should have an experienced lawyer."

"But the trial starts tomorrow," I said, my courage draining into my socks.

"You can get an automatic postponement if you tell the judge you've just taken on counsel."

"But the expense—only \$11,000 is involved."

"I would do it for much less than that because, considering the importance of the issue here, I could get several organizations I know to contribute to your defense. It would wind up costing you very little."

"I better think about it."

"You don't have much time."

I dialed Mervin Rosenman with a sweaty forefinger. "Don't be silly," he said. "You'll do just fine. Think positive, talk firmly, and don't forget to stand up when you address the court."

Only once before did I have a night like the night I had before the trial started. That was in Ciudad Real, in central Spain, the night before I was to dress up as a matador and go into the bullring. But on that occasion, I had the great Antonio Ordóñez at my side. Now, on the morning of October 11, I dressed up as a lawyer (dark suit, subdued tie) and entered the courtroom all alone. The WG&M counsel table was filled with lawyers, papers, and bulging brief-

cases. I sat down at the opposite table and took out my legal pad on which I had written questions I planned to ask.

The judge entered, we all stood up, and the trial began.

A Simple Contract Case

Judge Evans, black-robed, white-haired, thin-voiced, and low-keyed, asked the WG&M trial attorney, Robert Weiner, if he had an opening statement. A very brief one, Weiner said. This is a simple contract case; the defendant was obligated to produce a book to plaintiff's satisfaction; defendant did not produce said book; demand had been made for return of the advance; defendant had refused, although by contract he was obligated to return the money; plaintiff seeks \$11,250 in damages, plus costs. Weiner then started to call his first witness, but I found myself rising to my feet and requesting time to make my opening statement. "Yes," Judge Evans said. "Proceed."

"This is not at all the simple contract case that plaintiff would have you believe," I said. "Far from it. This is a case that goes to the very heart of the relation between publisher and writer. The vast majority of books that are published are published under an arrangement whereby a publisher advances money to a writer who then uses that money to live on while he researches and writes the manuscript that will eventually become a book. It is a unique partnership, the essential ingredient of which is the advance. It is the fuel that makes the system go. The publisher risks his money, the writer risks his time, and that mutuality of risk is what puts a book on the shelf. The plaintiff here is maintaining that he should have no risk at all—that if he doesn't like the manuscript he merely sends it back and gets his money back. Like one of those money-back guarantees that run in news-

paper ads. Now, sir, if Random House's position prevails, then all risk would fall on the writer and his position would become purely speculative. If Your Honor, in his decision, were to support Random House in this position, then the entire system of publishing would be in jeopardy. Most professional writers cannot undertake such total risk. The flow of books would be seriously impaired. The evidence will show that after two years work I produced a competent, publishable manuscript for Random House, one that they nevertheless chose to reject. I do not dispute their right to reject it, but surely I cannot be asked to absorb the total cost of that rejection. This is the issue before Your Honor. The facts involved here have never been precisely adjudicated before, and this case is being closely watched by the Authors League and other interested parties."

To my surprise, I felt right at home. The adrenaline pumped nicely. I had the inexplicable illusion that I had stood here many times before and the match was being played on my home court.

Form, Content, Risk

Nan Talese is an attractive, articulate, and knowledgeable woman. On direct examination, she testified that she had expected *King of the Hill* to be written from an adult's point of view and that she did not feel "enthusiastic" about it in the form in which I had written it.

"It was not in form and content satisfactory to you?" Weiner asked.

"No, it was not."

"And you returned the manuscript and asked the defendant to return the \$11,250 that Random House had advanced him?"

"Yes."

Weiner asked me if I wanted to cross-examine. On a piece of paper directly in front of me, I had written in large

letters: "FORM, CONTENT, RISK." That was to be the focus of my cross-examination—Random House's soft underbelly where, hopefully, the shaft could pierce.

I quickly discovered that a person who conducts his own cross-examination has a considerable advantage over a lawyer who must act an alter-ego role. The self-lawyer is in direct confrontation with the witness. Instead of his lawyer asking questions based on second-hand information, the person representing himself has been party to the deeds he is inquiring about. Thus, when I asked Nan, "Didn't I tell you thus and so," and, "Do you recall when you told me . . ." I was gaining an immediacy of response that gave me an advantage.

I also found that I took to cross-examination as naturally as a newborn to the teat. Few objections to my questions were sustained.

What is form? Form, Nan said, is a very broad term; it could mean anything from the physical manuscript to the type of book: poetry, criticism, fiction, non-fiction.

And substance? The theme, the subject.

"Did you object to either the form or the substance as you have just defined them?"

"Well, no . . ."

"It was the *style* you found fault with, wasn't it?"

"Yes."

"But where in the contract does it say anything about style? Can you show me the word?"

"No."

"In your opinion was the manuscript publishable as you received it?"

"Yes, but I didn't feel it was the book I had contracted. I just didn't feel as enthusiastic about it as I felt I should have been. I felt some other editor in some other publishing house would publish the book with the enthusiasm it deserved."

"Was it on your authority that Random House demanded return of the advance?"

"I signed the letter, but Jim Silberman, the editor-in-chief, requested I write the agent asking for the return of the advance."

"Then it was Silberman's notion that writers take all the risk and the publisher has none?"

"Yes. Silberman and, I suppose, Robert Bernstein [president of Random House]."

"What is your own feeling?"

"I believe the risk should be shared."

(There is no transcript of the trial, and what I am recording here is a reconstitution from memory.)

I was sailing along, getting all the right answers, piling up points, eroding Random House's position. But just after lunch, I got my first serious jolt as a trial tenderfoot.

It was vital to my cause to introduce into evidence the 70 or so reviews of *King of the Hill* which had appeared in newspapers and magazines across the country. I had clippings of the actual reviews (not Xeroxes) as they had been sent to me by the Literary Clipping Service, to which I had subscribed at the time. Holding this sheaf of reviews in my hand, I confidently asked the court reporter to mark them for exhibit as evidence. Weiner objected and the judge sustained him. I was stopped cold. "But, Your Honor," I said, "these are the actual clippings from the newspapers themselves."

"How do I know that?" Judge Evans asked. "They could be admissible, but you haven't laid a proper foundation for them." I was baffled and confused. "But surely, Your Honor, if it's just a technicality . . ."

The Judge got a bit testy. "Yes, it's a technical matter, but I can't be partial by helping either side. As it is, you cannot put the reviews into evidence."

"Then I'll ask for a ten-minute recess and find out how to do it," I said.

"Granted," he said.

I rushed to the pay phone in the hall and started phoning lawyers I knew until I found one who was in his office. "Swear yourself in and testify as to how you received the reviews and all that," this attorney said. "Then you will have laid the proper foundation."

To double-check, I phoned a second attorney and he suggested the same procedure.

I asked the clerk to swear me in, took the stand, and did as I had been advised.

"Objection," said Weiner.

"Sustained," said the Judge.

I was stunned. "But . . . but," I groped in my darkness, "these reviews are vital evidence, Your Honor."

"You haven't found the way to lay the proper foundation, and I can't help you. Let us proceed."

Seventy reviews, full of glowing praise, many written by distinguished reviewers—the point being that since critics for *The New York Times*, *The Washington Post*, *Los Angeles Times*, *The Boston Globe*, *Chicago Sun-Times*, etcetera, etcetera, had all found *King of the Hill* highly satisfactory, that would certainly damage Random House's position that the manuscript was unsatisfactory. But if I couldn't get the reviews into evidence, then legally they did not exist.

Desperation, not necessity, is what spurs me on in moments like this, and, finally, virtually at the last moment, I saw the light.

"Mrs. Talese," I said, "publishers rely on book reviews to publicize and advertise their books, don't they?"

"Yes."

"And how do you get these reviews you rely on? From a clipping service?"

"Yes."

"Then please look at this clipping and tell me if this is a clipping you would rely on."

"Yes. Random House subscribed to the Literary Clipping Service."

I asked the court reporter to mark the clipping as an exhibit.

it. Weiner objected. "Overruled," the Judge said. There was the faintest of smiles on his face.

"You found the way," he said.

Writing for the stage and television had taught me how to construct a telling climax for a scene. At the end of Nan's testimony, I asked her what she thought would happen if Random House or any other publisher offered a contract to an established writer that said, in plain words, "Here is X amount of dollars for an advance, but if we don't like your manuscript when you turn it in two or three or four years from now you must give back the money"—would he sign it?

"Probably not," Nan said.

"Would Philip Roth or Norman Mailer sign a contract like that?"

"No."

"Would your husband, Gay Talese?"

"No."

I started to walk away, then turned back for effect. "You know me very well, don't you? Would I ever sign a contract like that?"

"Certainly not," Nan replied.

Random House's second witness was another Random House editor who admitted he knew nothing about the preparation of the manuscript and could only testify that Nan Talese had asked him to read it and he had agreed with her. I asked him about form and content. He said form was fiction or non-fiction and content was the substance of the book. He explained in detail and his answers were different than those given by Nan Talese.

At the end of the first day's testimony, Judge Evans called Weiner and me to the bench. "When I sit without a jury," he said, "I like to indicate to the attorneys during the course of the trial how I'm leaning so that they can better prepare for the next day. I must tell you that right now I find myself favoring Mr.

Hotchner's position." Weiner blanch.

"I think you will change your opinion tomorrow, Your Honor," Weiner said, "because we plan to put Hotchner on the stand as our witness and we're going to prove that the manuscript he wrote was not the manuscript we agreed upon."

"All right," the Judge said, "I'm open to persuasive evidence, but tonight I'd like you to look up the cases that deal with advances that are given to salesmen. What if the salesman doesn't earn in commissions as much as his total advance—must he return the unearned advance? I'd like you to look at these cases—it seems to me they're very relevant here."

I started to say that a salesman who didn't produce sales was different than a writer who did produce a publishable manuscript, but a gruff voice that sometimes monitors me told me to keep my mouth shut. It also said, leave well enough alone.

Turning The Tables

One thing I was sure of: there was no way under the Centre Street sun that Weiner was going to prove his case with my testimony. In the past, I have been on the witness stand several times and I have held my own against some pretty good batterings. But that night I reviewed my deposition and all papers in the case carefully. My object went beyond holding my own with Weiner. I wanted my testimony to score the final, convincing points with Judge Evans.

When we reconvened the following morning, Weiner looked pale under his black beard. I asked him if he had a copy of the salesman brief that I could look at. He said, rather testily I thought, that he hadn't prepared one. Of course that told me which way those decisions had gone.

Weiner tried to be belligerent in cross-examining me,

but I could tell his heart wasn't in it. He worked hard and fired rapid volleys of questions, but they fell like scattered shot in an open field. Finally, when I saw an opening, I steered my testimony around to the soft underbelly of form and content. In the midst of a lively exchange between us, Judge Evans took over the questioning. He asked Weiner to give his own definition of the words form and content. Weiner stood mutely before the judge, an aghast expression on his face. He finally said something to the effect that his witnesses had already defined those words. "No," Judge Evans said, "they each had differing definitions."

"Now I want you to tell me," the Judge said, "just what definitions you were relying upon when you brought this action." I felt sorry for Weiner. He's a decent man, and this humiliation did not belong to him, but to Robert Bernstein, who, as the head of Random House, had insisted on this litigation.

"They are just traditional words," Weiner finally managed to say after much bumbling about. "They don't have any meaning, just the word 'satisfactory' is what's important."

The Judge was astounded. "You mean you have these two words in the contract which have no meaning?"

The more Weiner tried to explain, to extricate himself, the more he entangled himself in those fatal words. Finally, to put an end to his desperation, he said, "Your Honor, could we have a meeting in your chambers?"

We went into the Judge's office. The Judge took off his robe, and Weiner and I sat on either side of his desk. "When this case first came before me," the Judge said, "I was 90 percent sure I was going to find for the plaintiff. I thought it was going to be a case of a writer not living up to his commitment. But, of course, that's not it at all. Did you

look at those salesmen cases?"

"Yes, Your Honor, but what I wanted to say is . . ."

"Well, you see, it's been held that a salesman's advances are non-recoverable and I would think that a writer certainly deserves the benefit of those decisions. What's the difference?"

"Yes, your Honor, but what I want to say is . . ."

"Your own witness has admitted that the manuscript was publishable, and the fact that it was published by Harper & Row with all those favorable reviews—certainly Random House's rejection has to be on *reasonable* grounds."

Weiner finally got to make his statement. Hard cases make bad law, he said, and Random House wanted to avoid a written opinion based on the facts in this case. They were very much afraid, he said, that a negative opinion in this case, which dealt with a paltry \$11,250, would have adverse repercussions on their contracts that involved advances of \$400,000 and \$500,000. Thus, they were asking permission to withdraw their lawsuit, pay all costs, and admit defeat if I would consent to withdraw my counterclaim.

Of course, it also occurred to me that by refusing to allow Random House to withdraw, which was my privilege now, I would certainly win a verdict with a written opinion in my favor. That would have been an even more satisfactory victory, but I knew that Random House would surely appeal a strong decision in my favor. I knew from experience that such appeals are very costly and time-consuming; a big corporation can keep a case on appeal for a long time. I could not possibly handle my own appellate brief, arguments before the appellate court, and all the other technical matters incident to the appeal. So I would have had to hire an appellate attorney, pay

his considerable fees, and the costs of printing briefs. But, more important than the monetary cost, was the cost to me of lost days and emotional disturbance. I wanted the Random House leeches out of my life. They had sucked enough of my time and my emotions.

The settlement was such a sudden and complete victory that it took a minute or so for it to sink in. It meant that without putting on a single witness, I had triumphed. And in the best conceivable way—by forcing Random House to admit that they were wrong. That after a lifetime in the book world, Horace Manges was wrong not to have had some compassion for the writer's position. That Robert Bernstein, who likes to identify himself with liberal causes in non-monetary matters that relate to international literary affairs, was wrong to have stubbornly persisted in this lawsuit five years without involving any of his own money, his time, or his emotions.

I phoned Irwin Karp at the Authors League to tell him the result and to thank him. He was overjoyed. "What you've done," he said, "is bound to make writers more courageous. They must stand up for their rights. I don't mean the few writers who get the big advances, but the ordinary, struggling writer who makes every kind of concession in his eagerness to get his book published. You've scored a spectacular victory for us, and I can tell you it's appreciated."

Next day, on the plane going back to Paris, I thought about the trial itself—the experience of having performed in a courtroom. I thought, "You know, Hotchner, you would have made a pretty good trial lawyer." It was a hell of an experience. I wondered why more people didn't defend themselves. All you have to do is think positive, talk firmly, and stand up when you address the judge. ■

WEATHERCASTERS: GETTING TO SNOW YOU

Meteorologists Precipitate Debate On Science Versus Showmanship

Is 'partly cloudy' cloudier than 'partly sunny'?

BY ROY BLOUNT JR.

Is a weathercaster a scientist or a Bozo, or both, or something in between, or something else again? And what—when you get right down to it—does “partly cloudy” mean? These questions reached depths of up to several inches (but what does “several inches” mean?) in Savannah, Georgia, January 29 and 30, at the Eighth Conference on Weathercasting (Radio and TV) of the American Meteorological Society.

I went down to the conference with two preconceptions.

One, that when I stepped into the lobby of Savannah's DeSoto Hilton Hotel I would behold a great, sprawling, animated, George Price cartoon: tap-dancing weathermen; accordion-playing weathermen; sloshed weathermen competing to see who could tell the most asinine jokes; Florida weathermen wearing big sunshine masks and bright yellow WWO “Warm Weather Outside” T-shirts; freehand weathermen sketching frowning-raincloud figures on the walls; mime weathermen acting out precipitation, overcasts, and gusts of up to 25 knots with hand gestures and facial expressions; dotty old minor-market weathermen wearing windsocks as hats. Yes, I foresaw a staggering panorama of anything-goes weatherpeople, all running around mugging and introducing each other to their weather puppets:

WEATHERMAN: Little Miss Weathernot, I'd like you to meet Baird Findley of WHOT down in Slow Burn, Texas—tell him what freezing rain looks like, Little Miss.

LITTLE MISS (the puppet): Lookth *coooold*. And delivering papers on “The Beautiful Weather Girl: How Old Is ‘Old’?”; “Permaform Hair: The New Polyesters”; “Use of the Polar Bear Suit in Five Percent Chance Situations”; “Oooh, Anchormen! They Think They're *So Hot*”; and “Evolution of the Honka Honka Weather Horn, 1975-77.” And all of those variegated weatherfolk dressed, of course, for different weathers, and defending their preferences: some flaunting their snowshoes, others their galoshes, others (the beautiful weather girls) their string bikinis.

Two, that TV weathermen—aside from the phantasmagorical values of their convening—got no reason to live.

Mostly Cloudy

I came away from the conference with these advance notions somewhat modified. The trouble with the first one was that the full spectrum of American weathercasters was not

represented. There were roughly 120 broadcasters of weather in attendance, and these were mostly professional meteorologists, and quite conscious of it.

The atmosphere which I had foreseen as carnival was, in fact, mostly cloudy and dry. The weathercasters, looking for the most part like so many anchormen or ad salesmen, gathered to hear 16 talks on such topics as “Digital Colorizers for Television Radar Display” and “What's New at the National Severe Storms Forecast Center?” They took breaks to gossip rather hectically. (“There's lots of funny barograph stories,” I heard one of them say, but he didn't have time to tell them.) They mostly ignored a display of forbidding books on things like *The Nature of Ball Lightning*. They didn't raise any hell that I know of. And, before adjourning, they argued inconclusively, not about which of the nation's weathercasters should be executed but about which ones should be eligible for AMS seals of approval.

While registering on the first day, I overheard one weatherman saying to another about a third, “He may look like a broadcaster, but he *sounds* like a meteorologist. There's an *intelligence* there.” Right away I doubted that professional meteorologists were going to be as morbidly fascinating as I had hoped. But I was willing to give them a chance. And I figured that by observing professional meteorologists I might clear up some of the mysteries that TV weather holds for me.

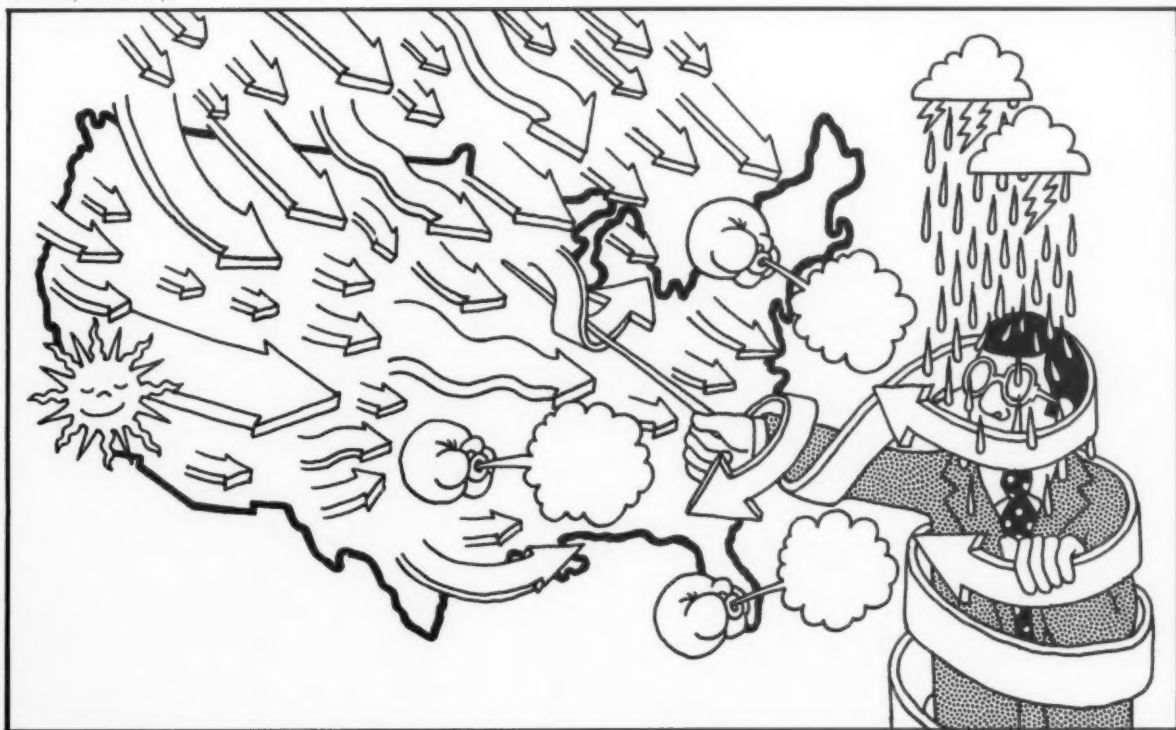
Like why in the world does the weather take up so much TV time, day in and day out? I'll bet more people spend more time looking uncomprehendingly at weather diagrams than at anything else in our culture. For all I can make of most weathercasts, they might as well be explications of the mind-body problem in symbolic logic. And yet I sit there watching, and thinking only, “I can't *stand* this son of a bitch.”

The reason we see so much weather, I have been told, is that sponsors like to sponsor it. “And here's Chad Whitlow with the weather, brought to you today and every day by Little Darlin' Snak-Cakes” is a nice *graspable* thing, even if nobody does know what Chad means by “precipitation,” or expects Chad's predictions to come true, or cares what Chad thinks will be moving up across Nebraska toward the Dakotas. It's all the more graspable, of course, if Little Darlin' herself is on hand, literally, in the form of a puppet. But maybe there was some alternative way—I told myself at the outset of the conference—for Americans to grasp the weather.

A professional meteorologist, I soon learned, is someone who has at least a BA in meteorology, or ten years of experience, and therefore can presumably dope out his own forecast based on technical input from the National Weather Service. The conferees I talked to agreed that only about 20 percent of

Roy Blount Jr. writes a sports column for Esquire. His last piece for MORE was on newspaper stylebooks.

Illustration by Frank Olinsky



the people who make a living bringing us the weather over radio and TV know anything to speak of about meteorology. These belong to the American Meteorological Society and cling to their dignity. The other 80 percent just take simplified and often stale reports from the Weather Service and render them audiovisually—wearing a snowman head, or popping out of a picnic hamper if necessary. AMS members refer to this sort of behavior as “Bozo the Clown antics.” “As a matter of fact, I think the guy I replaced in Chicago was Bozo the Clown,” said Walter Lyons of WLS-TV in Chicago.

Serious weatherpeople do have a lot to put up with, I learned from those I managed to chat with and those I heard airing their problems in question-and-answer sessions following each talk.

“Sometimes when I talk to people they hear only what they want to hear,” a distraught-sounding weatherwoman told a conference speaker. “Is there any way to make them hear the truth?” The speaker’s reply was, “If they want it to snow, they hear it’s going to snow.”

The speaker in this case was Elliot Abrams of Accu-Weather, a private weather-consulting service that also puts on its own show. Abrams also mentioned to the collected casters, many of whom sighed in agreement, that sometimes a state highway department will call up a weathercaster and tell him not to predict icy roads, because people will sue the state for not closing them: say freezing rain instead. And sometimes an advertiser—one who sells antifreeze, or overcoats—will call up and say, “What’s the expected low going to be?” If the caster says 12, the advertiser will say, “If you’ll lower that to 10, we’ll run such and such an ad.”

Then there is the pressure to compete with the Bozos. “Management is the problem,” one prominent weathercaster told me as he waved to a friend he hadn’t seen since the last conference 18 months ago. “They think that if there is going

to be a comedic element in the news show, the weather is the place for it.” A station can pick up a non-meteorological weathercaster for about \$20,000 a year. A meteorological one costs at least \$30,000, and his forecasting equipment is a further expense. Given the obscurities and limitations of meteorological science, he can’t be counted on to be oracular enough to justify the extra money.

Meteorologist-broadcasters don’t even have a good term for themselves. The appellation “metro-caster,” suggested by one conference speaker, sounds like something to do with urban planning. “Meteor-caster,” which John Chandik of WBAY-TV in Green Bay, Wisconsin, told me he prefers, sounds like a mythical figure who throws comets. There should be a term, though, because not only are meteoromediasts (my own suggestion) more than Bozos or “rip ‘n’ read” disc jockeys who parrot (or just as often garble) canned weather—they are also more than meteorologists.

“Meteorology is a physics major,” Bruce Schwoeleger of WBZ in Boston told me. “How many extroverted physics majors do you know? You don’t have to be Bozo. People don’t want to get the weather from the Hunchback of Notre Dame. But you do have to have the smooths for the air. You have to have one foot in meteorology and one foot in entertainment.”

Perilous-Balance Weathercasting

The AMS tries to encourage such perilous-balance weathercasting by awarding seals of approval. Until recently, only casters with the meteorology degree were eligible for this imprimatur, but now associate (non-degreed) members of the AMS are allowed to submit tapes of their shows for judgment after they pass a difficult written exam. There are only about 175 seal holders among the nation’s 600-odd, full-time weathercasters.

And just because you have a seal now doesn't mean you're always going to keep it. Recently a weathercaster in Milwaukee lost his seal, after he began to deliver his weather in dialogue with a hand puppet. Viewers were outraged. They deluged the station with letters denouncing the AMS. They liked the puppet.

"In Oklahoma, I was sponsored by a utility whose symbol was a little man called Reddy Kilowatt," one caster told me while the projectionist was trying to figure out why he couldn't get a film on tornadoes to thread properly. "They had a Reddy on wheels. When it was going to be cold, they put a hat and coat on him, and he had an old-fashioned bathing suit when it was going to be sunny. That's the closest I ever came to a puppet."

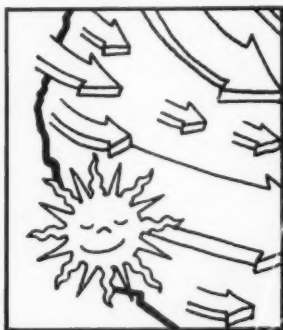
"The worst I've seen," said Schwoegler, wincing, "was a guy on Cape Cod who took the weather every day out of the mouth of a clam."

Well, you don't get a seal for that kind of thing. I watched several seal-winning tapes and had to admit that some people give good weather—snappy, level-headed, even genuinely amusing. I enjoyed the tape which showed Abrams of Accu-Weather citing various portents of a big approaching snowstorm—"a deep encounter of the white kind," he called it—and all the while insisting upon his gut feeling that there *wasn't* going to be a storm. Glaring at a cloud mass he was reluctant to be wary of, he would grumble, "Another thing wrong with this storm..." At any rate, he said on this tape, "Nothing is happening right now. You're welcome to look out your window and see that nothing's happening, but you have to wait until after the show."

But not all of the seal-winning tapes glittered. On one of them, an Oklahoma City caster appeared, by virtue of technical wizardry, to be walking around on a map of the United

States and pointing out the various areas where various weathers were on tap. This was perhaps not too unseemly in itself, but when—surprise—Carol Channing wandered out and began to point at Oklahoma City and babble interminably about how there was going to be great weather in town because she was appearing locally in *Hello Dolly*. I wished for some good puppetry.

After viewing the Carol-on-the-map tape, an academic



meteorologist who was sitting in on the conference ventured to say he felt the AMS was "besmirched" by the seal of approval. "I think you're about ten years behind the times," objected the man from Oklahoma City. Other weathercasters on hand made it clear to the complaining scientist that nobody had asked him.

But I thought he had a point. For this reason, I was unable to appreciate very sincerely the controversy which raged at the conference over whether associate members' seal-of-approval eligibility should be rescinded. Even though a couple of the degreed casters present said they doubted they could pass the tests associates must take, the prevailing sentiment seemed to be against what one extremely stuffy caster described, in the talk which set off the controversy, as "eroding the importance of the seal by giving it to non-meteorologists."

Cindy Gricus of WWBT in Richmond, Virginia, a spirited

associate member, rose to suggest that if this association of professionals were interested in "improving the state of the art of weather broadcasting," it would be trying to include more casters in its discussions of what "partly cloudy" meant, not trying to be more exclusive. Later she told me—while trying to catch the eye of a "hurricane man" whose work she admired—it was almost impossible for a weathercaster coming into the work cold—as most of them do—to learn anything about meteorology. The National Weather Service issues no guidebook for interpreting its weather wire, and the AMS "sends you a bulletin you can't understand," she said. "This organization could help, but as you can see, it doesn't."

What the conference seemed to be most concerned with was preserving the concept of a weathercasting elite. There were a good many frowns when an untypically irreverent caster wondered aloud "whether at the next meeting we will be designing a secret handshake."

Partly Sunny Or Partly Cloudy?

One reason I had trouble accepting the casters' apparent image of themselves as sages trying to preserve their standards in the face of showbiz pressures was that, when they got down to discussing nuts and bolts of their trade, the weathercasters sounded less scientific than they did when discussing how professional they were. In the airport limousine on the way to the hotel, I heard a new term: kilopascal. I asked several casters and was told it was a new metric unit of measurement which they were going to have to convert to. But none of them could tell me what it meant.

I asked someone why weathercasters say "precipitation" instead of specifying exactly what is going to be

falling, like rain. The rather icy reply was that "rain" means a certain definite thing, and "precipitation" can mean that, or shower activity, or some other things. I didn't get a chance to ask why weathercasters say "shower activity."

(Incidentally, I never got around to asking what weathercasters think about the name of WABC-TV weatherman Storm Field, who is the son of WNBC-TV weatherman Dr. Frank Field. It seems to me that a weather doctor's naming his son Storm is tantamount to a medical doctor's naming his son Disease.)

In a talk entitled "We Mean What We Say, But Do We Say What We Mean?" Elliot Abrams of Accu-Weather reported the results of a viewer poll on weathercasting terms. The viewers were asked to mail in their reactions to such questions as, "What percentage of the day do you expect to be sunny when you hear the following terms?"

Mostly sunny	82%
Some cloudiness	56
Partly cloudy	54
Variable cloudiness	47
Intervals of cloud	
and sunshine	49
Partly sunny	40
Some sunshine	28

This caused a good deal of stir at the conference. It was as if a gathering of psychiatrists had been told that 75 percent of their patients thought that "blocking" meant something 20 percent healthier than "resolution." "That means partly cloudy is sunnier than partly sunny!" I overheard one caster exclaiming to another during the next break.

Abrams also spoke of the confusion involved in such terms as "windy"/"breezy"/"very windy"/"blustery" and "several inches"/"couple inches"/"a few inches." "Breezy," mused a man from Ohio during the break. "That's a good one. We don't use 'breezy' in the Midwest." Nobody seemed to be sure, in conversation, exactly what he

or she was saying when he or she said "several" or even what the Weather Service meant by it.

But even more confusion was stirred up by government meteorologist Allan H. Murphy's presentation, "Expressing and Communicating Uncertainty in Weather Forecasts." "The only thing we meteorologists really know about tomorrow's weather is that we're uncertain as to what it will be," said Murphy. "It is important to realize how fundamental this is."

"The reason the credibility of forecasting is not higher," he went on, "is because we are not communicating the level of our uncertainty." Therefore, he came down very heavily on the side of "probabilistic forecasts."

"There are problems with verbal—with words in forecasts," he said. For instance, a survey in Detroit showed that "likely," as in "some shower activity is likely," meant a 20 to 30 percent chance to 10 percent of viewers and a 70 percent or greater chance to 15 percent of them. The way to get around such vagueness, Murphy said, was "to express uncertainty in terms of numbers." In other words, to predict a 20 percent or 70 percent, or whatever percent, chance of shower activity. This is a probabilistic forecast.

Murphy went on to concede that the survey also showed that when people in Detroit heard "70 percent chance of rain," 6.8 percent of them thought it meant that "70 percent of the Detroit area would receive measurable precipitation," 78.7 percent of them thought it meant there was a "70 percent chance that some place in Detroit would receive measurable precipitation," and 14.5 percent of them (the only ones who were right) thought it meant there was a "70 percent chance that a specific place like the metro airport would receive measurable precipitation."

But this, said Murphy, "is

a misunderstanding of the event, not of the probabilities." Nobody objected to Murphy's suggested graphic depiction of a 70 percent chance of rain: ten boxes with stick figures in each of them and raindrops in seven of them. To me this implied that 70 percent of the people in Detroit were going to get rained on, but, since I am neither a meteorologist nor a person of Detroit, I didn't think it was my place to say anything.

The weathercasters, however, had some things to tell Murphy. One said that surveys were very uncertain. Another said that nobody in his area lived at the airport. And most of them seemed to be staunchly opposed to "the pops"—a term for probabilistic forecasts deriving from the acronym for "probability of precipitation."

"If I predict a 10 percent chance of rain," complained one, "I'm wrong 90 percent of the time."

"The most confused I've ever been on the air," said another, "was when the anchorman asked me to explain what the wind chill factor meant, if it didn't necessarily mean how cold the air feels. The second most confused was when he asked me what I meant by a 30 percent chance of rain."

Still another caster affirmed that "credibility and degrees of uncertainty have more to do with personality than numbers."

"How could you measure the uncertainty?" Murphy demanded.

"I might communicate it by just the change in my tone of voice," said the caster.

"There are an infinite number of interpretations of your tone of voice," countered Murphy, although he hardly knew the man.

"The people I've been serving," the caster said evenly, "know when I'm uncertain."

Another caster rose. "When we're on the air," he said, "we're going one-on-one. That guy out there isn't

identifying himself as being part of the mass consciousness, he's not identifying with that 70 percent. . . . What I want to do is to have a feeling of *certainty*. If I'm wrong, then, why, I'll bite the bullet."

"The only reason you guys use probabilities is to cover yourself, right?" the moderator then asked Murphy.

"That's a very bad misinterpretation of the concept," Murphy replied, looking pained.



Another caster wanted to know what he was supposed to do with guidance from the Weather Service that spoke of "a 50 percent chance of rain, with 40 percent chance of changing to freezing rain, and 80 percent chance of changing to rain."

Murphy indicated that was an extreme example.

Somebody else wanted to know, "What is it you're saying to me—you're not sure it's going to rain, or that rain is going to be scattered?" This may have been one of those people from Detroit, but I think it was a weathercaster. Murphy looked even more pained.

Then a caster stood and said to Murphy, "I agree with you 100 percent." Murphy brightened. But then the caster proceeded unwittingly to disagree with Murphy at least 90 percent: "I'd rather go into the verbal terminology of rain likely, or rain moderate, or rain possibly. This gets into the semantics of communication, so to speak." Murphy's face fell, as indeed did mine.

"Why do we have to get so complicated!" a caster from Dayton, who was about five feet tall and had the voice of a tuba, rose to exclaim. "Our viewers are Frigidaire worker Joe and Mary Beercan. . . . I don't mean that in a derogatory way. They look to us to tell them what to do—'It may rain tomorrow, I'd take your raincoat.' You may be wrong sometimes," this caster conceded. Then he paused. "And if you're wrong they're not going to watch you!" This declaration was followed by moderate-to-heavy applause.

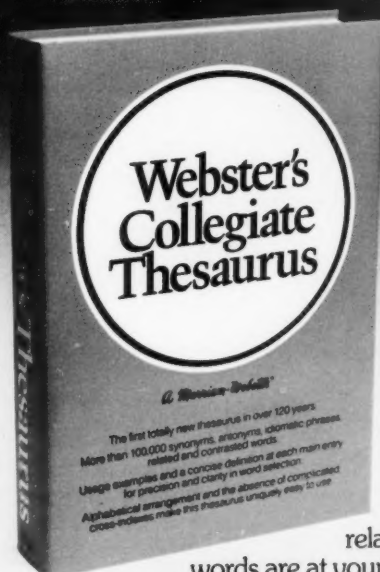
Besmirching Journalism

Given the level of higher learning exhibited at the conference, I found it hard to credit one caster's argument that "nonprofessionals" should no more be considered for seals of approval than people without M.D.'s should be considered for doctor's licenses.

For one thing, "nonprofessionals" are already *practicing* weathercasting in great numbers. For another thing, I don't think meteorologist-broadcasters realize what their profession really is, or ought to be. Reporters who cover medicine aren't judged as doctors, nor as entertainers, strictly speaking. They're judged as journalists. Hardly any of the people at the conference seemed to think of themselves as journalists. They had been forecasters in the Navy or meteorological researchers in academe (or actresses in commercials), and somehow or other they had stumbled (their own word) into weathercasting.

Not only was the conference devoid of Bozos, it was also attended by only a few casters of the type I think of as made-for-TV people, those guys with ringing, honking voices that are not pertinent to actual life and hairdos that look as if they are shaped up every 15 minutes by three Japanese gardeners and a team of

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glance 369

glad *adj* 1 characterized by or expressing the mood of one who is pleased or delighted <he was *glad* to be on vacation>
syn happy, joyful, joyous, lighthearted
rel delighted, gratified, pleased, rejoiced, tickled; blithe, exhilarated, jocund, jolly, jovial, merry; gleeful, hilarious, mirthful
idiom filled with (or full of) delight
con blue, dejected, depressed, downcast, melancholy; despondent, dispirited, heavyhearted, sadhearted, unhappy; forlorn, joyless, sorrowful, woeful
ant sad
 2 full of brightness and cheerfulness <a *glad* spring morning>
syn bright, cheerful, cheery, radiant
rel beaming, sparkling; beautiful; genial, pleasant
con dark, dim, dull, gloomy, somber
gladden *vb syn* PLEASE 2, aridize, delight

surgeons. Most of the weathercasters I talked with seemed—once they got past the questions being raised at the conference—to be interesting folks, who cared about the weather, and who frequently remarked, "We do sometimes save lives."

The weather itself can, of course, as we have seen this winter, be a big story. And it can also be a good show. At the conference, I watched a rousing film on tornadoes, and also some great color, time-lapse photography of cloud movements.

I think we might get a new purchase on the weather in this country if weathercasters of all stripes (don't get me wrong now, all you Bozos out there—I'm not suggesting that any weathercasters *paint* themselves with stripes) were encouraged to regard themselves as belonging to journalism. After all, most of them are besmirching journalism, if only by association. In journalism, you don't have to agonize so much about scientific exactitude, but you do have to do some digging, and you have to provide, not data, but information.

Schwogler of Boston referred to "journalists" in the third person, as people who don't appreciate the importance of weather until after it happens, but he also told me he wants to treat the weather as a story, which can take a few seconds to cover one day and several minutes another day, and which can include interviews and explanations as well as recitals of highs and lows. Joel Bartlett of KPIX-TV in San Francisco showed a nice tape of himself doing the weather from a remote—talking about the day's heavy winds while being vividly buffeted, in fact almost blown off the Oakland Bay Bridge, by them. That kind of weathercasting made sense to me. But then I think, or am 70 percent certain, that "partly sunny" is considerably sunnier, or at least sounds more cheerful, than "partly cloudy." ■

THE FIGHT OVER TELEVISION VIOLENCE RATINGS

Two Men Who Monitor Media Mayhem Engaged in Pitched Methodological Combat

Why Gerbner and Wagner disagree about custard pie.

BY PETER M. SANDMAN

Opponents of broadcast violence held a press conference in New York in early February, and George Gerbner wasn't there. His name was in the air, though, in tones from dismissive deference to downright derision. It was like a reunion of Watergate journalists without Woodward and Bernstein. For a decade, Gerbner has been the acknowledged academic guru of the anti-violence movement. This year, for a change, the battle against televised murder and mayhem is making real headway—and it's making it without George Gerbner.

Gerbner, dean of the Annenberg School of Communications at the University of Pennsylvania, staked his claim to broadcast violence in 1968, when the National Commission on the Causes and Prevention of Violence hired him to measure the quantity of violence on the airwaves. The following year, the Surgeon General asked him to help conduct a full-scale study of television violence that had been requested by a Senate subcommittee. By the time the Surgeon General's report was completed in 1972, Gerbner was well ensconced. The annual publication of his Violence Profile—the most recent one was released in late March—has become an important ritual, a yearly occasion for jousting between outraged pressure groups and the beleaguered networks.

From the very beginning, Gerbner was after bigger game than violence counts. He agreed to his initial contract with the government on one condition: that the funding also cover his and his colleagues' investigations of other "cultural indicators" on TV—how the medium depicts and shapes American attitudes toward aging, race, sexuality. Unlike his government funders (after 1972, the National Institute of Mental Health picked up his funding), Gerbner sees TV violence—and TV in general—as an instrument of social control, a way of teaching viewers who is powerful and who is not. This analysis has led Gerbner to an all-inclusive definition of broadcast violence that defies common sense (he counts everything from killings to kicks in the shin), but makes sound theoretical sense. For ten years, Gerbner's data have kept anti-violence activists supplied with ammunition, while his methodology has given the networks ample help in deflecting the activists' attacks. The result was a standoff, with little change in the quantity of

TV violence.

In 1976, the National Citizens Committee for Broadcasting, headed by former FCC Commissioner Nicholas Johnson, decided to try a less academic route to reform. With a grant from the American Medical Association, (which funds some of Gerbner's work as well), the NCCB hired a Washington media monitoring company called bi Associates to keep tabs on broadcast violence. In two years, the NCCB has generated enough pressure to produce a noticeable decline in violent programming. February's press conference announced the victory. Gerbner was to have been there, but bitter methodological differences between him and bi President Roger Wagner led to his decision to stay away—a decision to which the NCCB, bi, and the AMA all assented with varying degrees of enthusiasm.

The contrast between Gerbner and Wagner is a symbol of the emerging political sophistication of the media reform movement, its evolving skill at the elaborate minuet of pressure, coalition, and compromise. Gerbner, 59, has the courtly arrogance and appearance of the stereotypical college administrator. He began his professional life as a folklorist in Budapest, and his interest in the electronic mythology of American television has led him to conclusions that should have branded him a radical long ago. But he values politeness far more than ideology, and he articulates his views with a paternalistic simle that suggests it's someone else's culture he's talking about. He turns waspish only when his methodology is challenged, as it has been by the networks and Roger Wagner.

Wagner, 42, sold advertising for a Washington, D.C. television station before starting bi Associates in 1970. His company specializes in direct response advertising (when a capital pitchman tells viewers, "Our operators are standing by," more often than not it's Wagner's operators) and commercial monitoring, a sort of electronic tearsheet to make sure TV ads run as scheduled. Wagner calls this "buy insurance," hence the name of his company. He sees violence-monitoring as a natural extension of his other work. He already had the staff, TV sets, and computers, and was beginning to sell advice to advertisers based on his direct-response operation. Research on TV violence, he says, is "just another media selection tool" that advertisers ought to purchase from bi Associates.

Neither Gerbner nor Wagner is a fanatic media reformer. But both work with reformers—Gerbner because he wants his research to be influential; Wagner because there's publicity in

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broadcast reform and, maybe later, money. Reformers have traditionally scorned the crassness of the Wagners and put up with the uncompromising academic stuffiness of the Gerbners. But the NCCB wanted to work with Wagner, and the results—at least in the short run—seem to justify the choice.

If they weren't both in the anti-violence business, Gerbner and Wagner might easily come to blows over a host of methodological arguments. But there are only two significant differences between them: Gerbner defines broadcast violence broadly, Wagner narrowly; and Gerbner talks about the industry as a whole, Wagner about individual shows and sponsors. Gerbner's approach to these two issues is grounded in sound communications theory and methodology. Wagner's is grounded in a solid sense of the tactics of practical political pressure.

Defining Violence

Gerbner defines violence as "the overt expression of physical force against self or other, compelling action against one's will on pain of being hurt or killed, or actually hurting or killing." This sounds sensible and straightforward enough, but think about what it includes: an earthquake, a Three Stooges free-for-all, someone choking on an apple core, Captain Hook chasing Peter Pan, Booth assassinating Lincoln. Gerbner makes no exceptions for natural disaster, humor, accident, fantasy, or history. Violence is violence.

From the time Gerbner began his research, this all-inclusive definition has incited the broadcast industry to something approaching violence. Gerbner's most stalwart antagonist in recent years has been CBS, whose economics and research department keeps its own violence count using a narrower definition. (The other two networks op-

pose all quantitative measurement of TV violence as inevitably simplistic.) Early last year, when the House Subcommittee on Communications was investigating broadcast violence, CBS submitted a scathing analysis of Gerbner's methodology. "The Gerbner definition of violence is highly questionable," the network wrote, "including, as it does, comedic violence and acts of nature." The network challenged Gerbner to explain whether he would include a hypothetical custard pie in the face. Gerbner primly replied that his coders had never come across one, but that they'd count it as violent only if it was used to hurt someone.

CBS was clearly on to something. People do have trouble getting exercised over earthquakes and custard pies. Roger Wagner puts the point succinctly: "You can't get a network, or an ad agency, or even a local police chief, to take a definition seriously when it makes *I Dream of Jeannie* or *Shields* and *Yarnell* the most violent show on TV. They laugh at you."

Wagner, for his part, excludes humor, accidents, and nonhuman perpetrators from his definition of violence. He also excludes modest scuffles, confining his count to shootings, stranglings, stabbings, beatings, drownings, kidnappings, and other major violence. Wagner calls this his "murder and mayhem" index.

For purposes of comparison, Wagner had his coders follow the Gerbner definition as well as his own. The results were announced at February's press conference, and the differences were huge. Wagner's study revealed that the two most violent shows in 1977, according to his interpretation of Gerbner's definition, were *The Wonderful World of Disney* and *Wonder Woman*, each with 21 violent incidents per episode. By Wagner's own definition, however, the two shows had

only five and eight incidents respectively, losing out to *The Godfather*, *Logan's Run*, and a number of other action programs.

The 13-week totals were even further apart. By Wagner's definition, incidents of prime-time violence fell from 2,088 in the fall of 1976 to 1,909 in the fall of 1977—a nine percent decline that is the centerpiece of NCCB's boast of political impact. Wagner's total, using Gerbner's definition, however, rose from 3,683 violent incidents in the fall of 1976 to 5,541 incidents in the fall of 1977—an increase of more than fifty percent.

It was in the interests of everyone at the press conference to ignore this latter figure. NCCB wanted to ignore it so it could claim it had successfully forced the networks to their knees. Roger Wagner wanted to ignore it so he could solicit network and ad agency business for bi Associates. ("There are 50 or 75 ways to look at the data," he told the press conference, "and some of them are not very pro-television. It's easy to poke holes, to criticize. It's not easy to come up with a positive picture. This is a pro-television report.") The networks wanted to ignore it so they could look good for a change.

And George Gerbner, who wasn't there, wanted to ignore the figure because he knew it diverged widely from his own findings. Indeed, when Gerbner's 1977 report was released in late March, it showed a ten percent decline in the number of violent incidents, from 6.1 per hour in 1976 to 5.5 in 1977. Using their own definitions, in short, both Gerbner and Wagner found a modest drop in TV violence. But Wagner, using Gerbner's definition, found a startling increase.

When asked about the discrepancy, Gerbner hints that Wagner is trying to make the Gerbner definition look bad. When told of Gerbner's hints, Wagner bellows for his secre-

tary to call his attorney. Each blames a flaw in the other's methodology. Gerbner: "It is possible that Roger has begun to overcode, treating as violent under our definition incidents that don't really hurt or threaten anyone." Wagner: "Gerbner's results are based on a one or two week sample, while we sample for 13 weeks. No one but Gerbner believes you can get an adequate estimate in just one week."

Either explanation could be right. For obvious reasons, Gerbner's coders are taught to avoid silly interpretations of his definition. But Wagner thinks the definition itself is silly, and it's easy to imagine his coders scoring every nudge and jostle. On the other hand, Gerbner and his colleagues are nearly alone in their insistence that one week is enough for a season sample. Gerbner's 1977 data are based on two weeks, but it's possible that those two weeks averaged less comic and accidental violence than the rest of the season. And it makes sense that the networks would use more not-too-serious violence in compensation for a cut in murder and mayhem. TV's dramatic tension has to come from somewhere.

Ted Carpenter, former NCCB executive director, takes a dim view of the dispute over whether Wagner is using Gerbner's definition correctly. "Both sides are so defensive," he says, "it's like stepping through a mine field to talk about it. It's an unfortunate dogfight that throws both studies into disrepute, and what they're fighting about really matters very little."

The New State Religion

What does matter is the difference between the two definitions themselves and the underlying disagreement over the role of television in society.

Last year, in response to the CBS critique, Gerbner



Illustration by Malcolm McNeill

told the House Subcommittee on Communications: "There are no real 'accidents' or 'acts of nature' in fiction. They are simply ways of presenting violence and victimization. . . . Comic content is a highly effective form of conveying serious lessons. . . . We believe that a scientific effort to discover all socially important effects of television violence, rather than to take the terms of the popular debate at face value, would serve both the public and CBS better than its

rigid defense of corporate policy."

The popular debate makes two assumptions shared by CBS, Wagner, and virtually everyone else: first, that "trivial" violence on TV can't make people behave violently; second, that the only important objection to TV violence is that it makes people act violently. The first assumption is arguable; the second is devastatingly wrong.

The most serious effect of broadcast violence, Gerbner

asserts, is not that it stimulates a few psychotics each year to go out and maim or murder, but rather that it makes millions of Americans afraid to go out at all. Gerbner maintains that television—including its comedies and cartoons, its accidents and acts of nature—teaches us that the world is a dangerous place. And through fear, he suggests, TV makes us docile and apathetic, persuades us of our powerlessness and our dependence on the powerful for

protection, ripens us for fascism.

With terrifying insouciance, Gerbner likens the claim that media violence triggers real violence to "worrying that the main effect of the Bible will be to make people say 'thou' a lot." Yet Gerbner may be wrong about this. His evidence that TV teaches its audience to be afraid, though suggestive, is hardly airtight. He has found that people who watch TV heavily approach their lives with more suspi-

cion and fear than those who watch less frequently; they are more likely to overestimate the extent of crime in the real world. This difference holds true even when age, sex, and education are statistically controlled. But the difference, though real, is fairly small. Other factors contribute more to fear than television does. And deducing causality from correlations is a notoriously slippery business. An equally plausible explanation for the same data is that fearful people tend to stay home more and thus have more time to watch TV.

Nevertheless, though far from proved, Gerbner's "mean world" theory of the lessons of TV violence is intelligent and intelligible, and he articulates it with messianic enthusiasm. In an article in *Et cetera*, a journal of general semantics, Gerbner argued that television has become "the new state religion" used to pacify the population. Noting that the identical TV diet dominates the leisure time of virtually every American, he concluded: "The fear that viewing American television seems to generate, the consequent quest for security and protection by the authorities, the effective dissolution of autonomous publics, and the ease with which credible threats and scares can be used (or provoked) to justify almost any policy create a fundamentally new cultural situation."

For Gerbner, what TV violence does best is to demonstrate how power works in American society, who can and who cannot get away with what. To show this, Gerbner spends a lot of time calculating what he calls "risk ratios," proportions of violence-making to violence-receiving on television. Between 1969 and 1976, for every violent white male on TV, there were 1.19 white male victims—an almost even split. Black women, on the other hand, were seldom involved in TV violence at all, but

when they were, they were victims 2.5 times as often as they were aggressors. Similarly, old women were victims 3 times as often as aggressors. In short, says Gerbner, "Old, poor, black women are cast for violent parts only to be killed." Or, more generally, "The structure of dramatic action on television is rooted in—and thus perpetuates—the pecking order of society."

Gerbner follows his conclusions where they lead him, though they lead him to say things that university deans aren't supposed to say. He protects himself by sounding like a dean when he says them. "Would the business establishment incite costly social disruption just for the sake of profits derived from TV violence?" he asks. "I believe that it is both more parsimonious and more plausible to suggest that the social control functions of symbolic violence may—from the point of view of 'law and order,' if not mental health—outweigh the disruptive consequences." In other words, business and government willingly tolerate an occasional homicidal maniac as the acceptable cost of keeping the rest of us in line.

If you buy Gerbner's theory, you pretty much have to buy his methodology. Violent acts in comedy and fantasy may not have the violence-provoking power of realistic drama, but decades of research demonstrate beyond doubt that people do learn from comedy and fantasy. Presumably, we can learn from them to be afraid.

In short, Gerbner makes sense. His theory and his research hold together, and, if he is right, they are terribly important. As J. Ronald Milavsky, NBC's vice president for social research, puts it: "It's a brilliant idea, that television teaches people to be afraid. The proof so far is less than convincing, but I will be extremely interested to see if good evidence turns up. Gerbner's methodology in his violence counts is valid for his



George Gerbner: The dean of TV violence ratings.

purposes. My only complaint is that he has allowed people to interpret his results as a measure of the instigation of violence."

Milavsky's assessment is not shared by most television executives. CBS offered the House Subcommittee 33 pages of rebuttal, calling Gerbner's work "arbitrary," "faulty," and generally worthless. David M. Blank, CBS vice president for economics and research, made no bones about it: "I think the man's a fraud. He wanted to be the scientific czar of television in the worst way." As for ABC, Richard Gitter, vice president for broadcast standards, notes stuffily that, "Dr. Gerbner is a respected member of the academic community and has laudable scientific objectives." Then he adds, "We don't place much credence in his method."

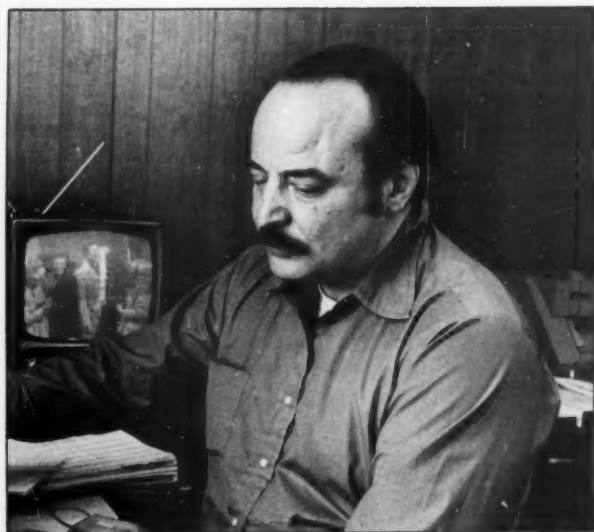
Where is Wagner in all this? "I haven't got a pet theory," he sniffs, as if theorizing were a social disease. When Wagner was breaking into the anti-violence game in 1976, one of Gerbner's colleagues went to Washington to train Wagner's people. Wagner subsequently met with advertising executives, network officials, and other interested parties. He listened to their complaints

about Gerbner's methodology and then compliantly changed what they wanted changed. "There's no point in measuring what people don't want to know," Wagner explains. "I want to sell this service to advertisers, and to the networks, too."

Despite his tail-wagging approach, Wagner has few friends at the networks. Executives who speak of Gerbner with respectful disagreement turn angry and contemptuous when Wagner's name is mentioned. What they cannot abide is that Wagner did what Gerbner will not do: he published the names of the most violent programs and the companies that advertised on the shows. With NCCB's guidance and the AMA's money, Wagner thus produced the country's first authoritative list of the sponsors of murder and mayhem.

Pointing The Finger

Among his other accomplishments, George Gerbner is editor of the *Journal of Communication*. In 1975, he published a short article by fellow academician Ronald Slaby, reporting a student project that ranked local advertisers in Seattle according to how much violent televi-



Roger Wagner: Selling anti-violence to advertisers.

sion they sponsored. The NCCB's Nicholas Johnson came across the article and started quoting it in his periodic indictments of TV violence. In February 1976, Roger Wagner read a *Washington Post* story that said Johnson was accusing McDonald's of being the number one sponsor of broadcast violence.

McDonald's in Washington, D.C., was a client of bi Associates. Wagner was paid to watch burger commercials and make sure they were aired as scheduled—and he hadn't noticed all that much violence. "I went to see Johnson and asked where he got his data," he says. "It turned out to be two-year-old information collected by undergraduates on three stations in Seattle, and shoot-from-the-hip, sloppy monitoring at that. I told Johnson that if he could get the money, I could do a better job."

Johnson got the money and, by late summer, the NCCB and bi were ready to announce the results of a preliminary study. The publicity that followed their announcement focused largely on their list of the biggest sponsors of TV violence; for the companies on the list, it was very bad publicity indeed.

The American Medical As-

sociation, meanwhile, was looking for a way to carry out its June 1976 resolution naming TV violence as an environmental health hazard to American youth and pledging AMA support for research and public education on the issue. Gerbner and the NCCB both asked the AMA for money. Gerbner received \$98,000 to keep his Violence Profile going for three more years. The NCCB received \$63,000 to keep bi on the job through the end of 1977.

The AMA grant paid for the NCCB studies of both the fall 1976 and the fall 1977 seasons. By the February press conference, the first comparisons were possible. NCCB's proudest conclusion was that nine of the top 12 advertisers in 1976, including Schlitz, Campbell's, and Kodak, had moved off the list in 1977. And it all happened because the NCCB and Wagner named names. "Once they were identified as sponsoring a great deal of violence," explained the NCCB's Ted Carpenter, "advertisers started receiving letters of complaint—too many letters to ignore. The result in many cases was careful buying to avoid violent programs. The networks soon got the message, and the word went out to the

creative community in Hollywood to cut down on the violence."

Bruce Wilson, Kodak's coordinator of broadcast advertising, confirms this explanation. "We were always sensitive to the violence issue," he says, "and we were quite shocked to be on the NCCB list. We got a few hundred letters. The company felt strongly that it did not want to be visible on that list or any such list." So Kodak's ad agency, J. Walter Thompson, purchased Wagner's program-by-program breakdown and used it to help guide its time buying to get the company off the list.

Pressure Or Censorship?

Carpenter walked an ideological tightrope at the press conference, disclaiming any involvement in censorship, yet bragging of pressure successfully applied. "We simply monitored and reported selected acts of murder and mayhem," he said, "relating it to the real TV marketplace—the sale of audiences to advertisers that supports commercial television. Network programmers and advertisers have simply been responding to that informed marketplace." Wagner was less diffident: "After the first NCCB survey was published, more advertisers started demanding to look at programs before they were aired. And they started yanking spots all over the place if the shows were too violent. The advertising industry simply adopted our violence measures as a media selection tool, and the networks had to follow along."

The networks feel obliged to walk a different sort of tightrope, on the one hand denying that the NCCB list had any effect whatever, and on the other warning that it represents an imminent threat to broadcast freedom. The warnings carry more conviction than the denials. ABC's Richard Gitter puts it this

way: "Pressure on advertisers from special-interest organizations constitutes an inhibition of freedom of thought. It's censorship, and it has a chilling effect. ABC responds to social responsibility, not to pressure groups, and we were already changing before advertisers expressed that kind of viewpoint. We have not had undue pressure from advertisers."

Ronald Milavsky of NBC is more disturbed, or at least more willing to admit he is disturbed. "Before bi," he argues, "most advertisers bought scatter and demographics. They didn't much care what the program content was. Now, all of a sudden, they're concerned because they're going to be on some list. Roger Wagner brought a lot of leverage to bear by hooking up violence with sponsors."

Milavsky foresees other effects. "Advertisers are starting to use their ad-screening services to prescreen the programs for them, too, and now they notice all kinds of things they consider shocking. When advertisers pull out of a program, that time has to be resold at a cheaper rate. If it keeps going, networks may naturally tend to avoid controversial programming of all kinds."

Milavsky points out that Wagner is already counting references to drugs and alcohol. "And some other outfit has a sex count now," he adds. "If someone comes along and says, 'I'd like to know what political themes are handled,' Wagner can do it for them. Then we'll have another list to deal with."

From Wagner, yes; but not from Gerbner. Gerbner also measures TV references to drugs, alcohol, sexuality, and, most recently, aging and minorities. But, as with his violence measurements, he doesn't tabulate the results by individual advertisers. It is partly for this reason that network officials sound almost affectionate when they talk

about Gerbner, notwithstanding his running methodological feud with CBS. "I'm not sure Gerbner intends to influence broadcasting," says Milavsky. "He's a researcher, and he is trying to learn about communication. He may have had some influence on Congress, but he never mobilized much pressure on us."

The NCCB's Ted Carpenter acknowledged a bigger role for Gerbner: "He was the thorn in the networks' side long before we got on the scene. And he is still useful."

"Still useful" is painfully thin praise for the once undisputed king of media violence measurement. Why then does George Gerbner steadfastly refuse to compile lists of advertisers?

As always, Gerbner's first answer is methodological, and, ironically, it focuses on sampling. Although Gerbner feels that one or two weeks is enough for an industry-wide sample, even 13 weeks, he says, isn't a fair sample for individual shows and sponsors; program content and advertiser sponsorship practices vary too much. (In 1968, the government published Gerbner's program-ranking based on a one-week sample. *I Dream of Jeannie* came out most violent, and Gerbner had to endure a lot of ridicule. "It happened to be a very violent show that week," he mutters.)

Gerbner's theory of media effects also tells him that Wagner's lists are ultimately beside the point. "What is important," he says, "is the total world that television presents, what it teaches us about power in our society. Instead of dealing with chickens and eggs, we should deal with the hatchery, with network policy."

Reluctantly, Gerbner acknowledges that "the NCCB approach was effective." But only in the short run. "I do not believe that advertisers as a group are any wiser or more responsible than the networks as a group. They are the hired

hands of the business world, and they should not assume responsibility as our cultural guides. Increased power in the hands of advertisers cannot be a satisfactory long-run solution. In time, the advertisers themselves will bitterly regret assuming that role." Does Gerbner disapprove of the NCCB tactic, then? "I'm not a purist. People must do the best they can." And then, less charitably, "It's a good means to a bad goal."

Gerbner's own goal is "equitable diversity." Right now, he says, the networks and the advertisers are dominant. They should become less powerful, and everyone else—interest groups, the general public, the "creative community," possibly the government—should get more powerful.

This is cultural pluralism at its most simple-mindedly optimistic, TV as the melting pot of democracy. When pressed, Gerbner allows that "institutional restructuring is the only way to resolve the issue ultimately." But he doesn't say how that is going to happen. "The chief virtue of academia," he responds instead, "is that it can evaluate goals, while 'practical' people are concentrating on tactics. We have no vested interest in the existing system of broadcasting. That is academic in the best sense."

Gerbner wins the debate over theory and methodology, but the NCCB and Wagner have the best of the political argument. In a statement distributed at the press conference, Nicholas Johnson paid dutiful obeisance to the fiction that producers and viewers have no taste for violence: "If there were only some way that television programming decisions could be left up to the producers and writers in Hollywood, and the American viewers in their living rooms, we'd all be a lot better off." Then came the practical part. "Unfortunately, both the creative community and the audience have to put up with

programming control by committees of financiers and marketing experts from the networks, ad agencies, and big corporations. . . . So the viewers have had to play the only card they hold: the postcard—letting advertisers and networks know how they feel about programming."

The Flowering Of Reform Capitalism

This is a history replete with ironies. Gerbner, the scholarly iconoclast, despises the television industry—but it tolerates and even admires him. Wagner, the go-getting businessman, assiduously woos the industry—but its leaders fear and avoid him. Johnson and Carpenter, the dedicated reformers, listen raptly to every word Gerbner says and share his distaste for corporate control of television—but they choose to work with Wagner instead, strengthening the hand of advertisers. The final irony, of course, is that George Gerbner made Roger Wagner possible.

The NCCB is out of the anti-violence business now, because it's broke and nearly defunct. The AMA is moving on to new ways of demonstrating the social conscience of the medical profession. That leaves Wagner without a sponsor, but he's not worried. "Somebody will have to step into the gap," he said, "and I think you're talking to him." Roger Wagner plans to start a nonprofit corporation and become an anti-violence activist. He envisions the perfect one-two punch, the final flowering of reform capitalism: the nonprofit Wagner, funded by foundations, will expose violent advertisers; then the profitmaking Wagner will sell them the detailed data they'll need to get off his list.

It just might work. Wagner hopes his anti-violence operation will eventually earn a profit (the NCCB phase was a loss leader). Meanwhile, he runs seminars on his findings

at \$165 per participant.

Gerbner doubts that Wagner is the wave of the future and says he has no intention of abandoning his Violence Profile. But he says it as though he'd like to. For years, he has tried to generate interest in the rest of his cultural indicators project, which investigates everything from TV's influence on IQ to political socialization through broadcasting. "Say that we're at the forefront of an environmental diagnostic movement," he pleads. "What could be more important than the symbolic environment created by television? It is not just violence." If a suitably seductive new controversy came along, Gerbner just might make the switch, leaving Wagner a clear field.

One suitably seductive controversy could be sex. Last October a group of top advertisers met with the networks to warn that they didn't want to face an anti-sex protest on top of the current anti-violence protest.

But smirky sex on the tube is continuing to rise, and the protest is coming. Gerbner doubts the anti-sex movement will amount to much, if only because it cannot gather the sort of liberal-conservative coalition that has characterized the battle against TV violence. But in case he's wrong, he has a theory ready, one that explains television sex as a way of teaching and enforcing power relations between the sexes. And he's already collecting data. Gerbner doesn't want to focus on sex—but then he didn't want to focus on violence either.

Wherever he turns his analytic eye, Gerbner is bound to produce something useful. And he's bound to need someone like Wagner to use it. "I wish those two could work together," Ted Carpenter says wistfully. But, as they say in those westerns that Gerbner and Wagner must occasionally watch, this issue isn't big enough for both of them. ■

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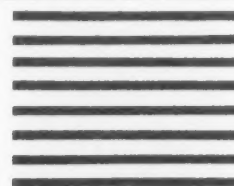
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BOOKS

MASS-MEDIATED
CRITICISMBlaming Television
For America's Mayhem

But whose hands are on the controls?

Remote Control: Television and the Manipulation of American LifeBy Frank Mankiewicz and Joel Swerdlow
Times Books
308 pp., \$15.00

BY TODD GITLIN

Criticism of television, of media events, of hype is flourishing. Television violence has become a target not only of parents' groups but of that famous guardian of the public welfare, the American Medical Association. The Federal Trade Commission is concerned about commercials aimed at children. NBC recently broadcast a documentary, *Land of Hype and Glory*, baring the swollen show-biz innards of the rock, movie, and book industries. True, the show skipped lightly over television's own mastery of the art of conjuring something worthless out of nothing, but on strict market as well as public relations grounds, NBC can't be faulted for trying to ease into the lush, new territory of media criticism. It has now become popular, even profitable, for the media to home in on the dangers, the corruption, and the redeeming possibilities of—itsself.

This current wave of mass-

mediated criticism focuses and swells a greater public anxiety. The first television generation risen to maturity has grown somewhat cynical in order to defend itself against the tube. As kids have come to learn that commercials lie, they have also attuned themselves to some of the fakery of the whole apparatus. Coexisting with the general delight in celebrity, there is a subliminal uneasiness with this world of waxy yellow buildup and \$120,000-a-minute commercials. The society that elected the "new" Richard M. Nixon also made a best-seller out of *The Selling of the President*. There is a huge hunger, in a society grown alarmingly opaque, for the appearance of disclosure; everything from *The Story of "A Bridge Too Far"* to a President who promises a new openness while he wheels out a foreign policy devised behind closed doors by the Trilateral Commission.

The new uneasiness with the media, with television in particular, should not be taken as coherent revolt. It is uneasiness coupled with fascination. But it has generated a wave of books that try to come to grips with the television industry, where a largely centralized symbol-making apparatus grinds out the bulk of the nation's shared images. Last year, Marie Winn's *The Plug-In Drug* denounced TV

for its hypnotic, mind-blasting, agitating effects on children. And Rose K. Goldsen's *The Show and Tell Machine: How Television Works and Works You Over* argued that TV is colonizing the prevailing public stock of images, metaphors, vocabulary, and gestures, while corrupting the sense of time and systematically glorifying the state. This season, *Remote Control*, by Frank Mankiewicz and Joel Swerdlow, continues the attack.

Mankiewicz, George McGovern's former campaign manager and now head of National Public Radio, and journalist Joel Swerdlow have written a book that reveals the typical shortcomings of much TV criticism. They argue that "television, in one generation, has become the dominant influence in our lives." But, in doing so, they display both the force and the pathos of the liberal discomfort. Though many of their specific points are on the mark, the whole is blurred and strained, the authors unsure of their target. They adopt that same falsely authoritative television voice that leaves viewers simultaneously dazzled and dazed in front of their sets.

One of the occupational hazards of TV critics is that they become what they behold, coming on with something of the battering rush of the TV day itself, adducing this fact to make that point, showing how bad this is and how bad that, shifting voices, interrupting the flow of their own arguments, and breaking into the rush of facts every so often to convey a message about the method in the mediocrity. It surely doesn't help that their writing is often clumsy, their documentation deficient.

It happens that *Remote Control*'s message is important and deserves the status of household cliché. Much about commercial TV programming, the authors argue, can be explained by the industry's social role and economics, start-

ing from the fact that the product actually bought by advertisers and sold by networks is the attention of the packaged audience itself. But to help us understand what its subtitle calls "The Manipulation of American Life," the book adopts the prevailing academic practice of concentrating on studies of TV's direct behavioral effects. It suffers in consequence.

The authors refer to the vast number of experiments that document the deleterious effects of a daily dose of violence, but they don't come to grips with the use of TV as an apparatus of ideological coordination and stabilization. They point out the inflated images of medical, legal, and police competence that are routine in TV entertainment, but they don't seem to understand, as Goldsen does, that throughout the whole evening schedule, "the state is the good guy."

Mankiewicz and Swerdlow give us chapters on the Family Hour, on news, on TV's treatment of blacks and women, on consequences for the literacy of children. What they don't give us is an explanation of why the institution rose to its privileged position in American life, and how it stays there.

The better chapters deal with TV's handling of race and sex, where Mankiewicz and Swerdlow bring to bear a sufficiently supple understanding of TV's complex maneuverings. The TV system does much to stabilize society by taking account of real and potential conflicts and working to neutralize them. What gives the whole political-cultural system its staying power is the combination of two factors: it delivers the goods and it is able to convert dissident needs into partial political reforms and a taste for commodities. Ours is a spongy system, and its sponginess is nowhere as evident as in TV's approach to the civil rights and feminist movements.

Thus, Mankiewicz and

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Illustration by Kimble Mead



Swerdlow show, TV coverage initially helped accelerate the civil rights movement by spreading the word. But, after the sit-ins, the Freedom Rides, Selma, and the 1965 Voting Rights Act, TV helped drive the black movement beyond the pale of respectability by giving undue attention to the flamboyant rhetoric of Stokely Carmichael and Rap Brown.

It is a good piece of the truth that, as Mankiewicz and Swerdlow write, "With only one-half hour each day to 'provide the news' and be entertaining enough to deliver a substantial audience to the advertiser, what is entertaining is violence and conflict." At the same time, the networks' market sensitivity led them to bring a good number of blacks into prime-time programming.

In the end, say the authors, there has been an ambiguous effect on race relations: "Television is often pulling Americans in opposite directions. It is pulling them forward into the recognition that America is shared by blacks and whites with great differences, but

who also live and love and fear in many of the same ways. At the same time, it is pulling us back by presenting far too many blacks who most often fit into the old minstrel-show patterns."

The same sponginess is evident in TV's treatment of women. The authors argue that although the fictional images of women have become more realistic, commercials still reproduce demeaning stereotypes. They also briefly and provocatively discuss the networks' changing treatment of feminism. But here they fail to explain the reasons for the shifting attitudes, except to say that women's groups have been more canny since 1970.

The change, however, cannot be traced simply to changes in feminist strategy. New frames get clamped onto reality from above, as the vantage points of journalists and programmers shift. Mankiewicz and Swerdlow do little to explain how these image-makers work and think. Through their whole book, in fact, they are remarkably silent on the

question of which people are "remotely controlling," and what they believe, own, know, and don't know. William S. Paley and David Sarnoff—two men whose interests might have figured prominently in answers to such questions—do not even appear in *Remote Control's* index. We read a great deal about an abstract "television," while the workings remain opaque.

The chapter on news is weak, too. In the course of blaming superficiality on the half-hour format and the networks' search for high ratings, Mankiewicz and Swerdlow miss many of the sources of distortion inherent in everyday news procedures. Again, they cannot really explain what they criticize. They overlook the false authoritativeness of reporters' voices and stances, the implicit commendation of officialdom, the restraints on basic criticism of the military establishment or the two-party system.

And because they do not immerse themselves in the history of media, Mankiewicz

and Swerdlow overlook the strong similarities between TV and print definitions of news. The networks have not invented banality and mystification. Indeed, the main sources of TV news—its information and its notions of what constitutes a story—are the wire services and *The New York Times*. When the wire services succeeded in imposing standards of "objectivity" at the turn of the century, they were well on their way to inventing the oracular tones and superficial balance of Walter Cronkite. So facts, without their historical context, never speak for themselves.

But the book's chapters on the effects of TV on violent behavior and literacy also suffer from the same assumption. The discussion of the impact of television on children's ability to read and write collates a wad of studies and anecdotes to make a strong, though circumstantial, case. The authors remind us that children spend 20,000 hours being dazzled by the tube, and it would be amazing indeed if their interest in reading were not being diverted. But Mankiewicz and Swerdlow go further. They argue that public television's presumed answer to the literacy crisis, *Sesame Street*, accepts and legitimizes commercial values, reinforces the confusion of entertainment and cultural worth, and disrupts reflective thinking.

In the end, however, their discussion fizzles. They take at face value tricky terms like "literate" and "bright," sling around a lot of claims, and finally fail to make sense of a complex and maybe contradictory reality. We come to the end of this frightening chapter to discover that despite everything in it, "the average IQ is rising . . . children are getting smarter." How's that? We are left alone, again, with those little darlings, the facts.

After chapters that are so many subtotals, one comes to

"Creating Consumers: The Bottom Line," expecting, and deserving, well, the bottom line. Swerdlow and Mankiewicz do show there is plenty of profit in managing a vast wasteland; they decry the aesthetics of the executives and rehearse the evidence against the reliability of ratings. Then comes the climactic subhead, "Creation of Demand," under which we get few sentences about the economic thrust of the whole industry: "What is true is that television commercials create demand that did not exist before. People are stimulated to buy and seek products in response to needs they had never before acknowledged—because the sense of 'need' is newly created."

The curtain begins to open. But instead of telling us more about the media's role in the economic system's 50-year-long dependency on the deliberate manufacture of needs, Mankiewicz and Swerdlow back off and dangle an example of demand-creating commercials.

In effect, another subtotal. Instead, the authors might have taken account of such recent scholarship as Stuart Ewen's *Captains of Consciousness: Advertising and the Social Roots of the Consumer Culture*, which demonstrates the coherence of capitalism's attempt to convince people to define their needs in a form that mass-manufactured commodities can satisfy; or William Leiss's *The Limits to Satisfaction*, which argues that the advertising and mass-consumption apparatus does not simply shape the expression of needs but compels the confusion of needs. Such historically grounded speculation provides a context for looking at advertising and the broadcasting spectacle as all of a piece. Television's violations of human scope and freedom—the manufacture of zonked-out consumers, the maintenance of established political agendas—are also boons for the

economic and political system.

The criticism exemplified by *Remote Control* spotlights a discrete social problem—television—and not society, which is itself the problem. Critics like Mankiewicz and Swerdlow argue that television has become the dominant influence in our lives. But, by wrenching TV out of the wider social context, they exaggerate its contribution to the general American mayhem.

After all, it is not cathode tubes that decide how to cover ERA, or the hour-long format that sends Dan Rather to cover prostitution in a Wyoming town rather than investment decisions in New York boardrooms, or the fixed 22-minute schedule of the evening news that decrees Major General George Keegan's ver-

sion of the Soviet threat to be more newsworthy than, say, Daniel Ellsberg's. Technology does not simply drop onto the earth like a Steven Spielberg saucer.

Narrowness of gauge and thinness of history are common failings of liberal criticism which, in consequence, is overwhelmed by its subject matter. As a result, *Remote Control* offers a critique that the networks can assimilate without trouble. The network news leaders are already pushing to expand the time given to national news. And programmers can cut down on violence, as the latest statistics show, without hardship. They will find other packages in which to wrap their commercials, the mass marketers will be content, and the reform movement will likely

disband, leaving the networks in charge of their replenished version of what novelist Sol Yurick once called the "Central Bank of Symbolic Forms."

Indeed, it is not surprising that *Network*, the preeminent show-behind-the-show, soon will be televised on CBS. The film's slogan, "I'm mad as hell and I'm not going to take it any more," is no battle cry and, therefore, no threat. It is the eruption of a helpless, diffuse rage that pervades the society now, without a clear target or vision. The pathos of both *Network* and *Remote Control* is that they can only tap this rage without clarifying it. And, undirected, it will then probably dissipate in cynicism, or in proposals for reform so modest they will adorn the existing system. ■

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CEREMONIES OF THE TRIBE

How The Press Performs The Rite Of Self-Promotion

Creating a cloud of mumbo jumbo.

BY MICHAEL J. ARLEN

I recently read a column by a newspaper critic of television, in which the writer expressed stern disapproval of what he described as the television networks' practice of "foolishly patting their own backs in public." I couldn't agree more. In fact, I don't think the critic went far enough, for the problem of TV's chauvinism isn't limited to networks puffing their own shows and stars—or conning others into doing it for them, as in football telecasts where the cameras dwell repeatedly and lovingly on those cute placard-messages to the announcers. Rather, it extends to television's habit of puffing *itself*, not merely on a station or network level but as a medium—a value-system.

Consider the self-serving bias in the chatter on so many local newscasts. Consider the aggressive torrent of show-business or entertainment values that wash over not only so much of television drama but also so much of what passes for human discourse on the tube: that endless, tacky, parochial dialogue that issues seemingly around the clock from talk-show hosts as well as talk-show guests, from game-show M.C.'s, and from those dreadful "celebrity roasts." Clearly, television—as perhaps might be expected

Michael J. Arlen reviews television for *The New Yorker*.

ed of any new medium so rooted in theatricality—wastes much of its and our time with chauvinist sentiment or braggadocio, and we should be grateful for critics who help us navigate our way through it.

But who then will help us navigate our way through the chauvinism of the sacred, venerable, and supposedly rational print medium, from which—for decades—has proceeded as dense a cloud of tribal mumbo jumbo and self-serving sentiment as from any pagan village? Print luminaries, and of course publishers, pat their own and each other's backs in public whenever possible, but this is nowhere near where the main energy of print chauvinism resides.

Indeed, magazines—which are newer, and thus farther from the central core of print mumbo jumbo than most newspapers—rather tamely limit their displays of chauvinism to these staged ceremonies of public approval. For example, the "Publisher's Letter," which is a staple feature of many magazines but of few newspapers, and which is usually written by an assistant P.R. man, and which provides the magazine's readership with (a) generally unwanted "inside" information as to how many hours or days or weeks were spent by reporter Jones in interviewing some industrialist or entertainment celebrity, and (b) a generally

unwanted photograph (in black-and-white and strangely lit) of reporter Jones, seated and looking vaguely ill-at-ease in a golf cart beside the famous interviewee. Presumably, the point is to display evidence of honor (at least, the honor of familiarity with the great) being conferred on reporter Jones and thus on the magazine and thus on the reader, though since most modern magazine readers probably have a diminishing sense of tribal identification with the periodicals they read, it is hard to imagine any very useful benefit accruing to anyone from these little rituals, except perhaps to reporter Jones who, briefly publicized, may garner a few, transient, badly needed points with his in-laws or his child's psychiatrist.

Magazines also are fond of rattling on in print about their staff "families"—the fun they all have when times are gay; the difficulties they brave together when skies are cloudy, as when the Emperor of Japan spoils a photo layout by refusing to be photographed in a bathtub. Thus, the *Time* "family" is awesomely diligent, knowledgeable, and intimate with the mighty—for instance, on the occasion of President Kennedy's assassination, referring to the late President as their "number one subscriber." The *Esquire* "family" is relentlessly up-to-date. The *Cosmopolitan* "family" inclines to breathless naughtiness. And the *Playboy* "family," of course, cleverly consists of only one member, the always youthful, grimly smiling cavalier of the Bunny Hutch who passes the decades confined to a bed strewn hedonistically with old anchovy canapes, Kodachrome transparencies, and former Texas Rangerettes.

One imagines that outsiders react to all this family-talk by magazines pretty much the way they do with actual families: that is, a few people (inevitably from "broken

homes") are impressed by all the fun and camaraderie and wish they could hang out with such an attractive crowd themselves, while the majority probably suspects that if so goddamn much fun was being had there would be a good deal less need to be going on about it at such length.

However, this self-promotional babble of magazines is relatively mild and superficial stuff compared to the kind of ancient tribal orthodoxies that the nation's newspapers plug into. Here we are dealing with solemn and time-hallowed matters, of totem and taboo no less, and an outsider shouldn't question their theological underpinnings too loudly, any more than he should wonder why the Royal Eunuchs always fire the 33 brass cannons each time a Margrave lies in state, or why the Sisters cancel the parochial school playoffs after patrolman O'Donnell has been shot. For newspapers, at least according to newspapers, are not only unlike other institutions; they are of a different order of existence.

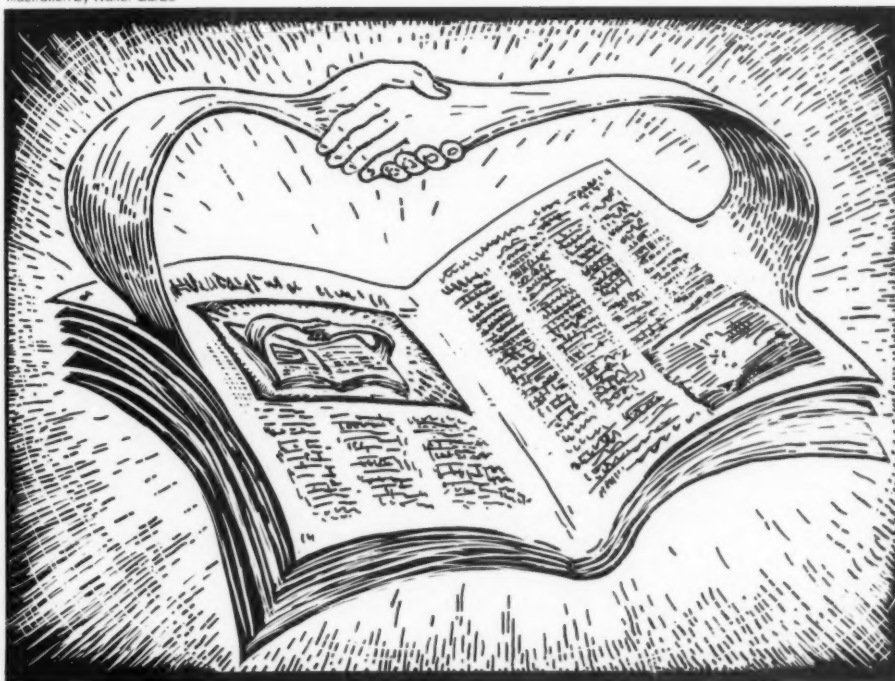
For instance, as with many primitive tribes, newspapers have a special reverence for death, especially when it occurs among themselves. Consider, to begin with, that the termination of a newspaper's publishing operations is invariably referred to as a "death," as if the departed institution were clearly of some special human, and indeed rather regal, nature, whereas a bank, somewhat less nobly, is limited to a "collapse" or "failure," a theatrical production (obviously a lighthearted venture!) merely "folds" or "closes," and the passing of a TV series—which may well affect more people than the demise of bank, play, and newspaper combined—is described even more matter-of-factly as a "cancellation." So, too, when a newspaper employee dies—and this is as true of journeymen former Rangoon bureau chiefs as of nationally syndicated colum-

nists—the fellow's death is treated, not merely by his own paper but by papers around the country, as an event of national significance. Endless column inches are picked up on obit pages from Maine to Washington, narrating at mysterious length to their readers the story of Homer Snooks's apprenticeship in downstate Illinois, his long, uneventful tenure on the INS desk in Oakland, and his subsequent years of stringing for the Bee papers out of Singapore.

Of course, during his life, Snooks was probably grossly underpaid, as are most people in the world without major recording contracts, and so it might be said that his obituary was a kind of posthumous compensation provided by the Publishers Association for his next of kin, in lieu of actual cash. But, even while alive and underpaid, Snooks in a way enjoyed the advantages of a second kind of life; for in addition to his actual life, such as it was, Snooks had another, rather more mythic existence, such as was provided by the theology of his profession. For example, when early on in his career, at a loss for a story, Snooks simply stole the contents of the "Complaint & Suggestion" box from the local department store and published it in the *Centralia Cenotaph*, resulting in the dismissal of four employees, two broken marriages, and the resignation of Mr. Fairbrother, far from being arrested or even publicly criticized for the theft, he was widely praised, at least in the pages of the *Cenotaph*, for his public-spirited enterprise. "The public's 'right to know' has met its champion in Homer Snooks!" declared the *Cenotaph's* publisher, who, at least on one occasion, asked Snooks and his wife to join him in his box at the trotting races and later arranged for Snooks to be made a temporary member of the Mollusks.

The passing years were quiet for Snooks, owing partly to his growing alcoholism

Illustration by Walter Gurbo



("Snooks certainly works his sources late into the evening!"), his restless instability ("Snooks goes where the news is!"), eventually bordering on manic-depression ("That Snooks sure is a dead-line guy, though he kind of trails off a little in between!"); but before the end of his career Snooks's name was once again briefly in the news, at any rate in his own newspaper. This time, as a result of an ambiguous misquotation in one of his stories, which unfortunately on publication caused first the rioting and then the arrest of 5,000 African exchange students and then the dispatch of six Liberian gunboats to the Chesapeake Bay, legal counsel for the state attempted to find out from Snooks the source of his statements. But here, as might be expected, Snooks stood firm. "No pin-striped downtown lawyer is gonna bully me!" said Snooks, when discovered by television news crews at his time-honored position at the bar of the Hi-Hat Lounge. His then employer, the *Sentinel-Trombone*, called

him the "They Can't Bully Me!" reporter, and the paper's publisher was quoted in the *Newsweek* press section as observing: "If Homer Snooks can't protect his sources, why democracy doesn't stand a chance!" Snooks was given a three dollar raise and a temporary membership in the publisher's tennis club, though Snooks was a little old to take up the game, and there was even talk for a while of Snooks being offered a consumer-oriented column of First Amendment gossip.

Actually, the real pity of Snooks's career was that he never received a major newspaper award, or even a minor one, for it is in the matter of awards and prizes that newspaper chauvinism flourishes on a level of tribal pride and defensiveness that even pagan villages would find hard to beat. Admittedly, prizes and awards have an important role in most human societies (presumably as an attempt by humans to bestow signs of God's pleasure, so to speak, on His behalf, on the chance that He might forget to do so Him-

self), but clearly, according to the nation's newspapers, there are no honors in the entire world—Free, Communist, and Third—to equal the honors bestowed on behalf of the nation's newspapers on themselves, notably the Pulitzer Prizes.

Even when a paper cannot claim one of the prizewinners as its own, it will publish the list of Pulitzer winners with a noisy flourish moderated only by hushed reverence. Even on the august and supposedly above-all-that *New York Times*, the Pulitzers are invariably page one material, complete with handsome photos and respectful biographies of the recipients—evidently a national event on a par with, and possibly higher than, the Nobel Prizes, which do not yet go for local reporting or for sports photography, but which represent a lifetime of work on a world-class level.

Not only that, but, in the urgency of newspaper chauvinism, all other earthly honors are somewhat less—sometimes very much less. Thus, national awards in the fields of

music, art, and literature (often given for work that requires many years to accomplish) must make do with scant column inches of acknowledgment and precious few photographs, if any, all of which is usually embedded somewhere back in the entertainment pages. The movie "Oscars" generally receive a reasonably ample play, for presumably they sell papers, and also Hollywood is no longer the threat it was. But television awards, as well as most news about television itself, are commonly consigned to limbo.

A few weeks ago, for example, a television awards-giving body called the Columbia University-Alfred I. Dupont Broadcast Journalism Awards (in whose deliberations I have sometimes played a small role), which functions in many ways much like the Pulitzer committee—with whom it occupies adjoining offices in the same building—announced its annual awards for television journalism. Doubtless, these were not accolades of a significance equal to the Swedish Academy's, or even to the Heisman Trophy committee's—and the *Times* evidently felt likewise, for it sandwiched a terse announcement of the TV news honorees into tiny type, squeezed them onto the newspaper's back page, and published them one day late.

I put forward no special plea for the Columbia-Dupont awards, which can presumably make their own place in the world, but it seems a shame, at a time when all news organizations have much at stake in maintaining not merely market-share but credibility, for one medium to be so insistently chauvinist and hostilely defensive toward the others. Perhaps this is yet another example of human nature at work, though tacky television, the newer medium, has usually been fairly generous in its recognitions of the world of print—bringing writers and print

journalists onto its talk shows (where they certainly proffer as much conversational ineptitude as they receive) and even giving a big plug to those blessed Pulitzers when they are announced.

For arcane and private reasons, however, newspapers (and even magazines) to a great degree still behave like fearful tribesmen. Much putting on of war paint and jumping up and down making lion noises in front of a mirror. Much regressive behavior in the face of newcomers, with attempts either to exploit the stranger (as with those flashy show-business cover stories in the newsmagazines) or to pretend that he doesn't exist, or would be of no importance if he did. Thus, television reviews and criticism are still commonly buried in the lower depths of newspapers and are scarcely carried in magazines. The television industry and electronic communications in general are usually reported in print with less intelligent attention than is given to the Department of Agriculture. And almost never, and certainly not in the *Times*, is television journalism acknowledged to exist as an object of ongoing interest to the readers of printed news.

Of course, possibly, even now, ponderous readjustments are already taking place within the councils of the More Ancient Medium so as to permit its members at least to greet the strangers from the New Visual Medium in friendly fashion on the street—to nod the head, and wave the hand, and perhaps even say aloud: "Hey, that's a rather nice walrus tusk you've got around your neck. Did you get it for local terrorism coverage or just good looks?" If so, a relaxation of the tightness of print chauvinism will be good news itself and might even free up some energy that would be of benefit to the world's bystanders. That way, we can all concentrate more attentively on the follies of television.

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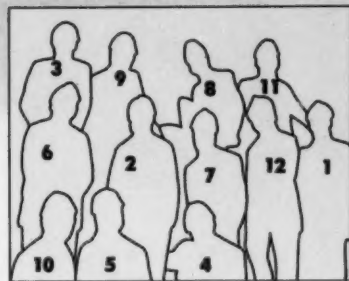
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